ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM, WEST VIRGINIA

HEARING

BEFORE THE

SUBCOMMITTEE ON
PUBLIC LANDS AND RESERVED WATER

OF THE

COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

NINETY-SEVENTH CONGRESS

SECOND SESSION

ON

H.R. 5161

AN ACT TO DESIGNATE CERTAIN LANDS IN THE MONONGAHELA NATIONAL FOREST, WEST VIRGINIA, AS WILDERNESS; AND TO DESIGNATE MANAGEMENT OF CERTAIN LANDS FOR USES OTHER THAN WILDERNESS

AUGUST 11, 1982

Publication No. 97-121

Printed for the use of the
Committee on Energy and Natural Resources

U.S. GOVERNMENT PRINTING OFFICE
16-294 O WASHINGTON : 1983

S311-28

COMMITTEE ON ENERGY AND NATURAL RESOURCES

JAMES A. McCLURE, Idaho, *Chairman*

MARK O. HATFIELD, Oregon
LOWELL P. WEICKER, Jr., Connecticut
PETE V. DOMENICI, New Mexico
MALCOLM WALLOP, Wyoming
JOHN W. WARNER, Virginia
GORDON J. HUMPHREY, New Hampshire
FRANK H. MURKOWSKI, Alaska
DON NICKLES, Oklahoma
JOHN P. EAST, North Carolina
JOHN HEINZ, Pennsylvania

HENRY M. JACKSON, Washington
J. BENNETT JOHNSTON, Louisiana
DALE BUMPERS, Arkansas
WENDELL H. FORD, Kentucky
HOWARD M. METZENBAUM, Ohio
SPARK M. MATSUNAGA, Hawaii
JOHN MELCHER, Montana
PAUL E. TSONGAS, Massachusetts
BILL BRADLEY, New Jersey

MICHAEL D. HATHAWAY, *Staff Director*
CHARLES A. TRABANDT, *Chief Counsel*
D. MICHAEL HARVEY, *Chief Counsel for the Minority*

SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER

MALCOLM WALLOP, Wyoming, *Chairman*

MARK O. HATFIELD, Oregon
JOHN W. WARNER, Virginia
FRANK H. MURKOWSKI, Alaska
PETE V. DOMENICI, New Mexico

DALE BUMPERS, Arkansas
HOWARD M. METZENBAUM, Ohio
SPARK M. MATSUNAGA, Hawaii
JOHN MELCHER, Montana

JAMES A. McCLURE and HENRY M. JACKSON are Ex Officio Members of the Subcommittee
TONY BEVINETTO, *Professional Staff Member*

CONTENTS

Page

H.R. 5161 ... 3

STATEMENTS

Adams, Joe, commissioner, Webster County, Webster Springs, W. Va ... 40

Austin, Natalie, coowner and comanager, Marlinton Inn, Marlington, W. Va ... 111

Ayers, Frank, Commissioner, Webster County, Cowen, W. Va ... 41

Benedict, Hon. Cleve, a U.S. Representative from the State of West Virginia ... 33

Borders, Donna, counselor, Marlinton, W. Va ... 110

Byrd, Hon. Robert C., a U.S. Senator from the State of West Virginia ... 13

Callaghan, David C., director, West Virginia Department of Natural Resources, Charleston, W. Va ... 30

Coppleman, Peter D., counsel and forest issues specialist, the Wilderness Society, Washington, D.C ... 57

Deitz, Howard, chairman, Forest Practices Committee, West Virginia Division, Izaak Walton League, Richwood, W. Va ... 82

Deitz, Lawrence, chairman, Forest Practices and Environmental Committee, Richwood Chamber of Commerce, Richwood, W. Va ... 69

Elkinton, Linda Cooper, West Virginia Office of the National Audubon Society, Morgantown, W. Va ... 52

Evans, Richard T., Jr., Hillsboro, W. Va ... 113

George, Larry W., chairman, Wilderness Committee, the West Virginia Highlands Conservancy, Huntington, W. Va ... 49

Hankerson, Charles, coowner and comanager, Marlinton Motor Inn, Marlinton, W. Va ... 113

Helmick, Walter, chairman, county commission, Pocahontas County, Marlinton, W. Va ... 38

Housely, Raymond M., Deputy Chief, Forest Service, Department of Agriculture ... 16

Irvine, Dolan, county assessor, Pocahontas County, Minehaha Springs, W. Va . 39

McNeel, William P., editor, Pocahontas Times, Marlinton, W. Va ... 118

Moose, Roy C., high school biology teacher, Richwood, W. Va ... 103

Randolph, Hon. Jennings, a U.S. Senator from the State of West Virginia, letter to Senator Wallop dated August 11, 1982 ... 87

Wallop, Hon. Malcolm, a U.S. Senator from the State of Wyoming ... 1

APPENDIX

Additional material submitted for the record ... 125

ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM, WEST VIRGINIA

WEDNESDAY, AUGUST 11, 1982

U.S. Senate,
Subcommittee on Public Lands and Reserved Water,
Committee on Energy and Natural Resources,
Washington, D.C.

The subcommittee met, pursuant to notice, at 2:05 p.m., in room 3110, Dirksen Office Building, Hon. Malcolm Wallop, presiding.

Present: Senators Wallop and McClure.

Also present: Tony Bevinetto, professional staff member; and Thomas B. Williams, professional staff member for the minority.

OPENING STATEMENT OF HON. MALCOLM WALLOP, A U.S. SENATOR FROM THE STATE OF WYOMING

Senator Wallop. Good afternoon. The committee will come to order. The Subcommittee on Public Lands and Reserved Water will receive testimony this afternoon on H.R. 5161, to designate certain lands in the Monongahela National Forest in West Virginia as wilderness and to designate management of certain lands for uses other than wilderness.

Without objection, I will place a copy of the act in the hearing record.

H.R. 5161 provides for the acquisition of mineral interests in lands to be included in and adjacent to the Cranberry Wilderness by the Secretary of the Interior by exchange for federally owned mineral interests or rights.

As in H.R. 9, the Florida wilderness bill, and in the Mount Saint Helens legislation, there is no provision to reimburse the State and other States for the potential loss of its share of Federal mineral royalties in the case of an interstate exchange.

I am very concerned about this issue and I think I detect a trend and I would hope that certain witnesses would address this issue.

The witnesses are asked, if they will in the interest of floor action in both Houses, to summarize their oral testimony to somewhere in the neighborhood of 5 minutes. The entire written statements of everyone will be included in the record as if delivered. This is done in order to assure that there is adequate time for everyone to testify. Certain people have traveled a considerable distance to get here and a number have journeyed here from West Virginia to present their testimony this afternoon and I would hope that each witness will recognize the needs of the others and I hope that we can get all included in the record who wish to testify.

The hearing record will remain open for 10 days. Those wishing to submit a written statement or other testimony may certainly do so.

And for the record Senator Byrd has provided a statement which will be inserted in the record.

[The text of H.R. 5161 and the prepared statement of Senator Byrd of West Virginia follow:]

97TH CONGRESS
2D SESSION

H. R. 5161

IN THE SENATE OF THE UNITED STATES

JUNE 15 (legislative day, JUNE 8), 1982

Received; read twice and referred to the Committee on Energy and Natural Resources

---

AN ACT

To designate certain lands in the Monongahela National Forest, West Virginia, as wilderness; and to designate management of certain lands for uses other than wilderness.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DESIGNATION OF WILDERNESS AREAS

SECTION 1. In furtherance of the purposes of the Wilderness Act, the following lands are hereby designated as wilderness, and therefore, as components of the National Wilderness Preservation System—

(1) certain lands in the Monongahela National Forest, West Virginia, which comprise approximately thirty-five thousand six hundred acres, as generally depicted on a map entitled "Cranberry Wilderness—Pro-

posed", dated May 1982, and which shall be known as the Cranberry Wilderness: *Provided*, That for purposes of the Act of July 14, 1955 (69 Stat. 322) as amended, the Cranberry Wilderness may be reclassified only by Act of Congress enacted after the date of enactment of this Act;

(2) certain lands in the Monongahela National Forest, West Virginia, which comprise approximately six thousand one hundred acres, as generally depicted on a map entitled "Laurel Fork North Wilderness—Proposed", dated November 1981, and which shall be known as the Laurel Fork North Wilderness; and

(3) certain lands in the Monongahela National Forest, West Virginia, which comprise approximately six thousand one hundred acres, as generally depicted on a map entitled "Laurel Fork South Wilderness—Proposed", dated November 1981, and which shall be known as the Laurel Fork South Wilderness.

MAPS AND DESCRIPTIONS

SEC. 2. As soon as practicable after the provisions of this Act take effect, the Secretary of Agriculture shall file maps and legal descriptions of each wilderness area designated by this Act with the Committee on Interior and Insular Affairs and the Committee on Agriculture of the House of Representatives and the Committees on Energy and Natural

Resources and Agriculture, Nutrition, and Forestry of the United States Senate, and each such map and legal description shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made. Each such map and legal description shall be on file and available for public inspection in the office of the Chief, United States Forest Service, Department of Agriculture.

ADMINISTRATION OF WILDERNESS

SEC. 3. Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness: *Provided,* That any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of the relevant provision of this Act.

EXCHANGE

SEC. 4. (a) The Secretary of the Interior (hereinafter in this Act referred to as "the Secretary"), in consultation with the Secretary of Agriculture, is authorized to acquire within three years after the date of the enactment of this Act—

(1) all nonfederally owned coal deposits and other mineral interests and rights within the boundaries of the Cranberry Wilderness; and

(2) coal deposits and mineral interests and rights outside the boundaries of the Cranberry Wilderness which are—

(A) contiguous to the deposits, mineral interests, and rights referred to in paragraph (1) and owned by the person or entity which owns the deposits, interests, and rights referred to in paragraph (1); or

(B) economically accessible only through the exercise of rights held within the wilderness.

Such acquisition shall be carried out through the exchange of federally owned coal deposits or other mineral interests or rights which, after such exchange, will be freely alienable, recoverable, and removable.

(b) For purposes of carrying out the exchange required under subsection (a), not later than three months after the date of the enactment of this Act, the Secretary shall initiate negotiations with the owner or owners of coal deposits or other mineral interests and rights within the Cranberry Wilderness (hereinafter in this Act be referred to as "the owner").

(c)(1) The negotiations between the Secretary and the owner shall include the mutual identification for possible exchange at least one, but no more than four, sites having federally owned coal deposits or other mineral interests and rights. Such identification shall be completed within six months after the date of the enactment of this Act. If the Secretary and the owner fail to mutually identify such a site or sites within the six-month period, the Secretary and the owner may each identify not more than four sites for possible exchange and submit such sites for arbitration pursuant to subsection (d).

(2) Following identification of sites under paragraph (1), the Secretary shall conduct such coal or mineral evaluations—

(A) with respect to such sites, and

(B) with respect to the coal or other mineral interests or rights within the Cranberry Wilderness

as may be necessary to determine fair market value. The Secretary may contract with the owner to conduct such evaluations and may compensate the owner therefor through payment of money or the subsequent exchange under this section. Such evaluations shall be completed within one year after the identification of the site or sites concerned. Where the Secretary conducts such evaluations, he shall provide the owner with all data available to the Secretary as a result of the evaluations. If the Secretary and the owner fail to agree on any such evaluation within one year after the identification of the site concerned, the Secretary and the owner shall each submit a proposed evaluation for arbitration under subsection (d).

(3) Upon completion of the evaluation, the owner shall designate one or more of the evaluated sites for exchange, and the Secretary and the owner shall then seek agreement to consummate such exchange within three years after the date of the enactment of this Act.

(4) The fair market value of the coal or other mineral interests or rights exchanged under this section shall be substantially equal (taking into account any compensation due the owner for evaluation costs under paragraph (2)); or, if they are not of equal value, the values may be equalized by the payment of money to the Secretary or the owner so long as the payment does not exceed 10 per centum of the value of the leases to be issued by the Secretary. The Secretary shall try to reduce the amount of the payment of money to as small an amount as possible. Fair market value of any interest shall be determined for purposes of this Act on the assumption that all coal or other minerals to which such interest pertains are legally recoverable and removable.

(d)(1) If the Secretary and the owner fail to agree, within the time periods specified in subsection (c), on—

(A) the identification of a site or sites under paragraph (1) of subsection (c);

(B) the evaluation under subsection (c)(2) of the coal or other mineral interests or rights at any such site; or

(C) any other aspect of the exchange

the issue shall be submitted to binding arbitration to ensure an appropriate exchange under this section. The Secretary and the owner may mutually agree to extend any of the time limitations set forth in subsection (a), (b), or (c) of this section.

(2) The arbitration shall be conducted by an arbitration board in accordance with the rules of the American Arbitration Association. Each member of the arbitration board shall be selected under the procedures of the American Arbitration Association, except that such board shall consist of not less than three arbitrators, unless the Secretary and the owner mutually agree to a lesser number.

(3) The decision of the arbitration board shall be binding on the owner and the Secretary and shall not be reviewable. The exchange proposed by the board shall be carried out by the owner and Secretary pursuant to the order of the board. If either the Secretary or the owner fails to comply with such order, the other party may apply to the District Court for the Southern District of West Virginia to enforce such order, and the court may make such rulings and issue such orders as may be necessary for such purposes.

(e) Effective October 1, 1982, there are hereby authorized to be appropriated such sums as may be necessary to establish the value of the nonfederally owned mineral interests or rights lying within the Cranberry Wilderness area and to establish the value of federally owned interests to be exchanged under the authority contained in this section. Effective October 1, 1982, there are hereby authorized to be appropriated such sums as are necessary to carry out the other provisions of this Act: *Provided,* That no payment shall be effective except to the extent or in such amounts as are provided in advance in Appropriation Acts.

(f) Exploration activities, including core drilling and use of mechanized ground equipment, shall be allowed in the Cranberry Wilderness designated by this Act to determine the value of the nonfederally owned mineral resources therein, under such reasonable stipulations and conditions as may be imposed by the Secretary of Agriculture.

(g) The Secretary and the United States Government shall deal separately and independently with each owner and the mineral interests or rights of each such owner shall be valued separately from the mineral interests or rights of any other owner.

OTHER PROVISIONS

SEC. 5. (a) The Congress finds that—

(1) the Department of Agriculture has completed the second Roadless Area Review and Evaluation program (RARE II); and

(2) the Congress has made its own review and examination of National Forest System roadless areas in the State of West Virginia and of the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to National Forest System lands in States other than West Virginia, such statement shall not be subject to judicial review with respect to National Forest System lands in the State of West Virginia;

(2) with respect to the National Forest System lands in the State of West Virginia which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II), that review and evaluation shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the Na-

tional Forest Management Act of 1976 to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revision of the initial plans and in no case prior to the date established by law for completion of the initial planning cycle;

(3) areas in the State of West Virginia reviewed in such final environmental statement and not designated as wilderness by this Act need not be managed for the purpose of protecting their suitability for wilderness designation pending revision of the initial plans; and

(4) unless expressly authorized by Congress the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of national forest system lands in the State of West Virginia for the purposes of determining their suitability for inclusion in the National Wilderness Preservation System.

Passed the House of Representatives June 14, 1982.

Attest: EDMUND L. HENSHAW, JR.,
Clerk.

By W. Raymond Colley,
Deputy Clerk.

STATEMENT OF HON. ROBERT C. BYRD, A U.S. SENATOR FROM THE STATE OF WEST VIRGINIA

Mr. Chairman, I would like to express my appreciation to you, to Chairman McClure, and to Senator Bumpers and Senator Jackson, for accommodating the requests made by myself and Senator Randolph that a hearing be held on H.R. 5161.

Your letter of August 6, which responded to my letter of June 17, 1982, requesting a hearing, informed me that the hearing would be held on August 11, 1982. Senator Randolph and I have been in contact with West Virginians who have long been interested and involved in the status of the lands referred to in this bill.

For it is these West Virginians, particularly those who live near the proposed Cranberry wilderness area, who will be affected most by the decisions reached by this committee, and the Congress as a whole with respect to the lands involved.

In that connection, it is important to note that a strong concern exists among some of the people in Pocahontas, Webster, Nicholas, and other counties in West Virginia that their interests were not fully considered when this legislation was considered in the Interior and Insular Affairs Committee of the House, and by the full House.

For that reason, it is very important that the Subcommittee on Public Lands and Reserved Water, as well as full Committee on Energy and Natural Resources, provide a forum for a full and complete discussion of the issues affecting the ultimate disposition of these lands.

I would urge the subcommittee to take note of the unique qualities of the areas proposed for wilderness designation—Cranberry, Laurel Fork North, and Laurel Fork South—as it hears the views of West Virginians. The areas are, in many ways, geographical and climatological anomalies that have produced an intense natural beauty.

Further, I would urge the subcommittee to weigh the issue of compensation for the counties in which some of these lands are located—compensation for the removal of highly valuable mineral resources from the tax base in those counties. The private owner of the subsurface mineral estate of the Cranberry area is provided with a land exchange mechanism in this legislation that is intended to be an equitable transfer of mineral development rights. The people in the counties nearest to the Cranberry area, however, have no recourse for the revenue that would be lost if the Federal Government designates the area as wilderness, and thus acquires the subsurface mineral rights to the area, which would not be developed.

Many of the public officials from the areas closest to the Cranberry area have expressed the view that while development of the mineral resources underlying the Cranberry area may not be desirable, consideration should be given to some form of compensation for the counties that will suffer a permanent reduction in their tax base. The counties involved are by no means industrialized and are not expected to experience rapid economic growth in the foreseeable future. For that reason, the officials of the counties view any reduction in the tax base as potentially serious.

I again would like to thank you, Mr. Chairman, and Senator Bumpers, for arranging this hearing on H.R. 5161. It is my hope that the West Virginians testifying today will aid the subcommittee in its consideration of this legislation.

Senator **WALLOP**. Congressman Benedict has had a vote call on the floor right now, so I will ask the administration witnesses to start and when he comes back ask your indulgence that he may be permitted to testify when he does come back.

And with that, I would start with Ray Housley, Deputy Chief, U.S. Forest Service, Department of Agriculture.

Good afternoon, Ray.

STATEMENT OF RAYMOND M. HOUSLEY, DEPUTY CHIEF, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Mr. **HOUSLEY**. Thank you, Mr. Chairman. I will be happy to summarize my rather lengthy statement, which has been submitted to the committee.

I am pleased to have this opportunity to present the administration's views on the House act, H.R. 5161, a bill that would designate three new wildernesses on the Monongahela National Forest in West Virginia. The bill includes a provision directing the Secretary of the Interior to acquire by exchange the privately owned mineral rights within the proposed Cranberry wilderness.

I will comment briefly on the three wilderness proposals and the mineral exchange provisions in the bill. I will begin with the proposed Cranberry wilderness. H.R. 5161 would designate a 35,600-acre Cranberry wilderness. The majority of the proposed Cranberry wilderness has been closed to public use since 1936 when it was administratively designated the Cranberry back country.

The proposed wilderness encompasses 35,600 acres of national forest system lands and the surface is entirely owned by the United States. However, the subsurface mineral rights are approximately 30,950 acres and are privately owned. The identified existing mineral resources include extensive deposits of premium grade coking coal with low sulphur and low ash contents.

In addition, recent regional geological studies have stimulated new interest in the oil and gas potential of the area.

Wilderness classification without Federal ownership or control of the subsurface coal rights is not desirable. While we realize the Cranberry area offers an unusual opportunity for solitude in an undeveloped setting, we also recognize the potential importance and value of the mineral resources underlying the proposed wilderness.

During the past year working with the Department of the Interior, we have evaluated a number of alternatives for resolving this situation in the Cranberry area. Purchase of the outstanding mineral rights by the United States is neither a feasible nor desirable alternative because of the high acquisition cost which could be as much as $28 million.

We have investigated the opportunities for modifying the wilderness boundaries to permit underground coal removal but have concluded modification of boundaries to accommodate even underground mining is not a feasible alternative.

We have very major concerns about the feasibility and costs of the exchange proposed by H.R. 5161. Experience in trying to work out similar exchanges of mineral interests indicates the process for identifying, evaluating, and reaching agreement on minerals suitable for exchange is extremely time consuming and is fraught with great difficulty in reaching agreement on value.

Furthermore, we are concerned about the values foregone when legislation denies or prohibits the production of minerals, whether they be privately or publicly owned. Therefore, we cannot support the mineral exchange provisions of section 4 and must regretfully oppose wilderness designation of the Cranberry area.

We believe the continuation of the administrative protection and management which has been provided this area during the past 45 years can continue. It is preferable to wilderness designation because it would not preclude the owners of the subsurface mineral rights from exercising their rights.

With respect to the proposed Laurel Fork North and Laurel Fork South, H.R. 5161 proposed wilderness designation for both these areas which were recommended for wilderness designation as a result of the RARE II. Both areas are adjacent to the Gladys Gas Field utilized by the Columbia Gas Corp. as a storage area.

The potential for discovery of additional gas reserves under these proposed wildernesses was not considered high during the RARE II process. Recent exploration activities in the Eastern Overthrust Belt indicate higher potential for discovery of additional reserves at a greater depth than previously explored.

Since a substantial portion of both areas is currently under oil and gas leases and the nature and extent of development are unknown, we would prefer that these areas not be designated wilderness.

Mr. Chairman, this completes the summary of my statement and I would be pleased to respond to any questions.

[The prepared statement of Mr. Housley follows:]

STATEMENT OF
RAYMOND M. HOUSLEY, DEPUTY CHIEF
FOREST SERVICE
U.S. DEPARTMENT OF AGRICULTURE

Before the Subcommittee on Public Lands and Reserved Water
Committee on Energy and Natural Resources
United States Senate

On H.R. 5161, a bill that would designate certain National Forest System lands on the Monongahela National Forest in West Virginia for inclusion in the National Wilderness Preservation System and would direct the exchange of privately owned minerals.

August 11, 1982

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I am pleased to have this opportunity to present the Administration's views on the House Act, H.R. 5161, a bill that would designate three new wildernesses on the Monongahela National Forest in the State of West Virginia. The bill includes a provision directing the Secretary of the Interior to acquire by exchange the privately owned mineral rights within the proposed Cranberry wilderness.

The previous Administration, as a result of RARE II, recommended four new wildernesses in West Virginia. These areas total 69,000 acres and include a proposed 35,600-acre Cranberry wilderness; Seneca Creek, 21,800 acres; and Laurel Fork North and Laurel Fork South, each with 6,100 acres. H.R. 5161 would exclude Seneca Creek and designate the three other areas as wilderness.

I will comment individually on the wilderness proposals and the mineral exchange provisions. I would like to emphasize that my testimony reflects the Administration's position and incorporates views and comments of the Department of the Interior which would be responsible for implementing the mineral exchange provisions, and the Department of Justice which has concerns regarding the arbitration provisions of section 4.

PROPOSED CRANBERRY WILDERNESS

H.R. 5161 would designate a 35,600-acre Cranberry wilderness. The majority of the proposed Cranberry wilderness has been closed to public motorized use since 1936 when it was administratively designated the Cranberry Backcountry. Since that time, it has been protected from wildfire and managed to enhance fish and wildlife values. Official vehicles have been permitted within the area for resource management purposes. The area is characterized by broad rounded mountains that are heavily forested in mixed hardwoods and red spruce. These conditions resulting from past management practices have made the area a candidate for wilderness designation.

The proposed wilderness encompasses 35,600 acres of National Forest System lands. The surface is entirely owned by the United States. However, the subsurface mineral rights on approximately 30,950 acres are privately owned; on 1,575 of these acres, the mineral rights are subordinated to the Highland Scenic Highway corridor so as to limit surface occupancy and powerline crossings of the highway. The identified existing mineral resources include extensive deposits of premium grade coking coal with low sulphur and low ash content. In addition, recent regional geological studies have stimulated new interest in the oil and gas potential of the area.

Wilderness classification without Federal ownership or control of the subsurface coal rights is not desirable. Furthermore, legislation has been introduced in the Senate that would limit oil and gas activities in designated wildernesses even though disturbance of the surface for extracting those resources is much less than it would be from strip mining or from underground mining. While we realize the Cranberry area offers an unusual opportunity for solitude in an undeveloped setting, we also recognize the potential importance and value of the mineral resources underlying the proposed Cranberry wilderness.

During the past year, working with the Department of the Interior, we have evaluated a number of alternatives for the Cranberry area. Purchase of the outstanding mineral rights by the United States is neither a feasible nor desirable alternative because of the high acquisition cost which could be as much as $28 million. We have investigated the opportunities for modifying the wilderness boundaries to permit underground coal removal but have concluded that mining facilities and transportation corridors would result in substantial surface disturbance to the area being proposed as wilderness; consequently modification of boundaries to accommodate even underground mining is not a feasible alternative.

We have very major concerns about the feasibility and costs of the exchange proposed by H.R. 5161. Experience in trying to work out similar exchanges of mineral interests indicates the process for identifying, evaluating, and reaching agreement on minerals suitable for exchange is extremely time consuming and is fraught with great difficulty in reaching agreement on value. We estimate that drilling, inventory, and administrative costs associated with the exchange could exceed $1 million. Furthermore, we are concerned about the values foregone when legislation denies or prohibits the production of minerals, whether they be privately or publicly owned. This is a matter that is often overlooked when presenting exchange as an alternative. The coal in the Cranberry area is estimated to be approximately 18.6 million tons of clean, recoverable coal. Therefore, we cannot support the mineral exchange provisions of section 4 and must regretfully oppose wilderness designation of the Cranberry area.

We believe continuation of the administrative protection and management which has been provided this area during the past 45 years can continue; it is preferable to wilderness designation because it would not preclude the owners of the subsurface mineral rights from exercising their rights.

Finally, we wish to point out that there are currently unresolved legal issues under existing law pertaining to the Cranberry area, as well as potential legal problems if H.R. 5161 is enacted into law.

Currently, the Cranberry is a designated wilderness study area under the Eastern Wilderness Act (P.L. 93-622). Under section 6(a) of that act, the Secretary of Agriculture is required to manage the surface to maintain the presently existing wilderness character for a period extending to the expiration of the third succeeding Congress from the date the area was originally recommended for wilderness designation. Since this wilderness recommendation was submitted in May 1979, the area would be protected until January 1, 1987. Our obligations regarding the Cranberry Wilderness Study area under section 6(a) of the Eastern Wilderness Act relating to the permitting of development of the subsurface might bring litigation if the study status of the area is not expressly revoked by the Congress. Therefore, if H.R. 5161 is enacted, it should contain a provision terminating the study area status.

The Department of Justice has identified legal problems associated with H.R. 5161 concerning the arbitration provisions of section 4(d). It is an unresolved legal question whether an arbitration procedure establishing a legally binding determination of property values denies the owners of those rights due process under the 5th Amendment. An additional issue is whether a statute can set and limit compensation to the exchange of interests and rights. Furthermore, establishment of fair market value is normally the function of the judiciary. We also note that, under current law, the computation of fair market value considers the value of the coal and other minerals that are economically recoverable. The language of the bill in section 4(c)(4) assumes that all coal and minerals are "legally recoverable and removable." Such a standard would not be realized in fact and its application would potentially inflate the value of the private subsurface rights by a factor of two or three. We do not believe such a windfall would be in the public interest. Accordingly, the legal problems inherent in this bill, as well as its policy ramifications, suggest that the bill not be enacted.

PROPOSED LAUREL FORK NORTH AND LAUREL FORK SOUTH

H.R. 5161 proposed wilderness designation for Laurel Fork North (09044) and Laurel Fork South (09045). Both areas were recommended for wilderness designation as a result of RARE II.

The proposed 6,100-acre Laurel Fork North wilderness lies west of the Allegheny Front and is bordered on the east by the crest of Rich Mountain and on the west by the crest of Middle Mountain. This northern hardwood forest is characterized by valleys and slopes cut by the many side drainages of the Laurel Fork of the Cheat River that flows through the center of the area.

Immediately to the south is the proposed Laurel Fork South wilderness that is also bordered by Rich and Middle Mountains. Like the area to the north, it also consists of 6,100 acres with similar forest and terrain. The Forest road that separates Laurel Fork North from Laurel Fork South serves as an access to the nearby Spruce Knob-Seneca Rock National Recreation Area, Sinks of Gandy, and the Laurel Fork Campground.

Both areas are adjacent to the Glady Gas Field utilized by Columbia Gas Corporation as a storage area. The potential for discovery of additional gas reserves under these proposed wildernesses was not considered high during the RARE II process. Recent exploration activities in the Eastern Overthrust Belt indicate higher potential for discovery of additional reserves at a greater depth than previously explored. Of the approximately 12,200 acres of National Forest involved in the two wilderness proposals, the United States owns the mineral rights on approximately 11,200 acres. There are current leases on 2,725 acres that were issued in 1951 and 1952 and 850 acres having pending lease applications. We have been informed that City Service Corporation plans to drill two deep wells adjacent to the proposed North Laurel Fork area within the next year.

Since a substantial portion of both areas is currently under oil and gas leases and the nature and extent of development are unknown, we would prefer that these areas not be designated wilderness.

EXISTING WILDERNESS AND POTENTIAL WILDERNESS

There are two existing National Forest wildernesses in West Virginia. They include the 20,000-acre Otter Creek wilderness and the 10,215-acre Dolly Sods wilderness.

Should the Congress determine that additional wilderness designations are desirable in West Virginia, we suggest consideration of the 21,800-acre Seneca Creek area that was recommended for wilderness designation as a result of RARE II. The area lies on the moist, western side of the Allegheny Front. Topography is rugged and the surface character is rocky. Spruce Knob, just south of the area, has the highest elevation in West Virginia at 4,863 feet. Several points within the area exceed 4,200 feet in elevation. The moderately steep slopes are covered with northern hardwoods and the area is considered good black bear and wild turkey habitat.

The Seneca Creek area has existing oil and gas leases on about 9,500 acres, and there are pending applications on another 3,000 acres. About 1,500 acres have private mineral rights. The area is also within the Eastern Overthrust Belt.

Since the Seneca Creek area is signficantly larger than either of the Laurel Fork areas, we would not object to wilderness designation recognizing there are existing oil and gas leases that could result in some mineral development activity.

RELEASE PROVISIONS

We note the bill does include provisions for release of RARE II nonwilderness areas. We prefer provisions that would permanently assure status to lands designated for multiple uses other than wilderness in RARE II, rather than short term release provisions in H.R. 5161. In addition, we recommend specific time limits be set for congressional action on recommendations for additional wilderness which may be generated from the further planning process. Although we do not recommend enactment of H.R. 5161, we could support legislation that would designate the Seneca Creek area as wilderness while simultaneously releasing the Cranberry, Laurel Fork North and South, and other roadless nonwilderness areas in West Virginia from further consideration as wilderness.

Mr. Chairman, this completes my prepared statement. I would be pleased to respond to your questions.

Senator **Wallop**. Thank you very much. I wonder if you could just for the committee provide us with any difficulties that might have been historically experienced by the Forest Service or by the Government indeed in trying to arrange these exchanges for existing rights, either within a State or in an interstate exchange.

Did we have any successful experience doing that?

Mr. **Housley**. I think we have a comparable case in the matter of the Beaver Creek Wilderness in Kentucky. This was an area that was established as wilderness with the intention that the minerals, again coal, be acquired. We have had a lengthy and difficult time in agreeing on values and have as yet been unable to consummate any acquisition of the coal in that case.

There are other cases which are comparable.

Senator **Wallop**. Has anyone supporting this bill or have they suggested that the exchange be made with coal in another State or have they just left that as a topic to be dealt with?

Mr. **Housley**. Those alternatives have all been explored at least within the administration working with the Department of the Interior; we have discussed several options including that one without finding any of them to be very satisfactory or feasible at this time.

Senator **Wallop**. I know, just for example, I can imagine that the Governor of Wyoming would not be delighted to have a substantial chunk of that State's coal removed without being somehow or another compensated for the bidding return that comes as well as the ultimate royalty. And I note in Senator Byrd's statement he expresses concern about the county or the counties involved as to how they might be compensated for the removal of royalties which they would otherwise be entitled to if it is gone.

I appreciate your testimony. We will certainly look at it. As you know we have similar difficult kinds of problems with the Florida wilderness and the phosphate holdings down there. And they are slightly different, again, than these. These are private and those are at least Federal leases.

Has there been any adequate appraisal of these coal holdings?

Mr. **Housley**. No, sir, we don't have a very precise estimate of the value. We have had advice from the Interior Deparmment, which would indicate values in the range of 14 to 28 million. I think that inventory and drilling and the evaluation of the resources in itself would probably cost upwards of $1 million in order to reach a very accurate estimate.

Senator **Wallop**. How much disturbance of the area as it exists in its wilderness character would be altered by that exploration?

Mr. **Housley**. I am not certain what pattern of drilling would be required, but there would have to be access for a certain number of drill holes and, of course, the drilling activity.

Senator **Wallop**. Tony informs me, and correctly, that the House bill does provide for drilling and exploration, but one of the things that we are going to have to assess is what that would do to the wilderness character in the process.

The oil and gas reserves, primarily, I guess, gas, that and other areas, is that Federal gas or is that private?

Mr. Housley. Under the North Laurel Fork and South Laurel Fork, that is Federal minerals, as I recall, and there are leases on a substantial portion of both of those areas.

Senator Wallop. Clearly, it is something that has to be addressed and addressed carefully, because it is complex. We have found little in our own experience that even within a State, it is rather difficult to accomplish those exchanges. We are undertaking ones, as you know, in Wyoming in an area of the Rockefeller ranch near Teton Park, trying to get those exchanges even with the State of Wyoming, we are having a great argument on the valuation of minerals in place.

There is one area, I guess, which has had some measure of success but it is so different and that is up in Montana. As you know the Burlington-Northern exchanged timber rights for future bidding credits against the coal and timber, of course, is relatively more valuable than is something that is underground and we would have to come to an agreement on.

We will certainly look and see and we appreciate your testimony.

Do you have or did you bring any land ownership maps of the proposed wilderness area?

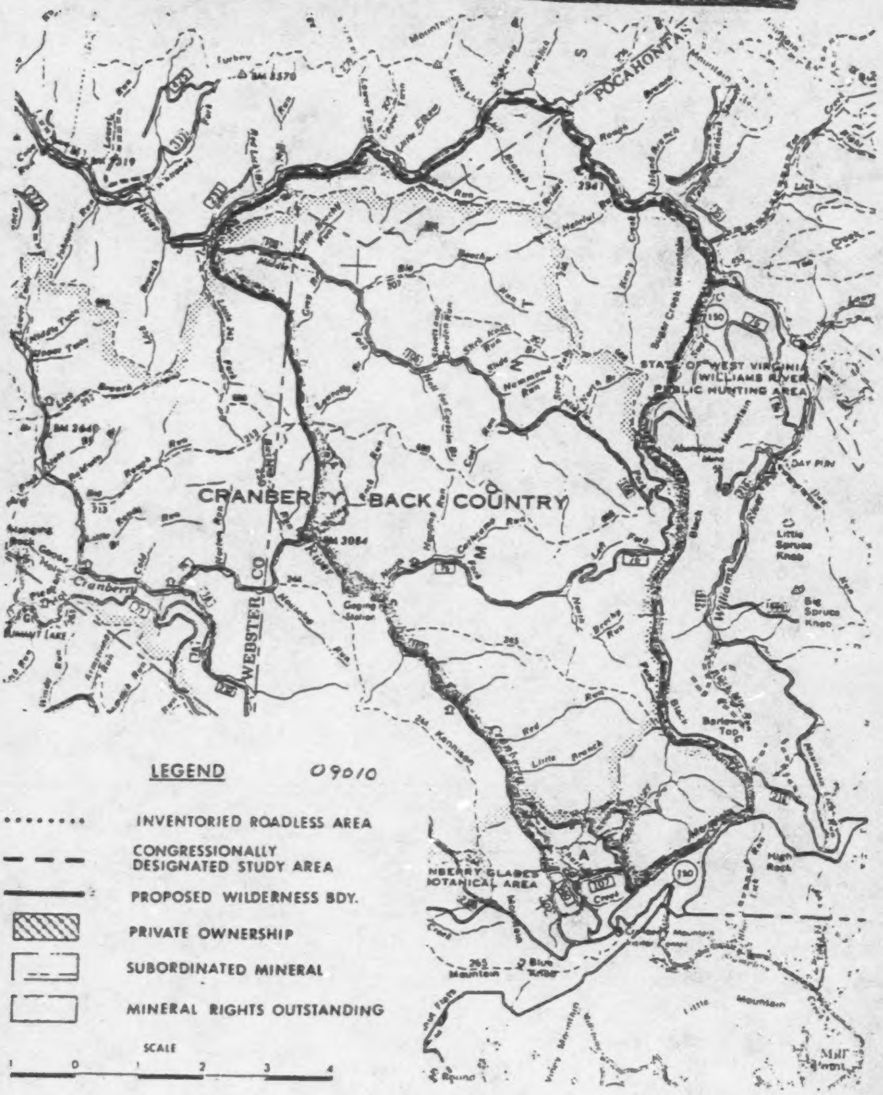
Mr. Housley. Yes, sir, we have some maps that we would be happy to have the committee use during the hearing.

Senator Wallop. I think we would appreciate that.

[The maps follow:]

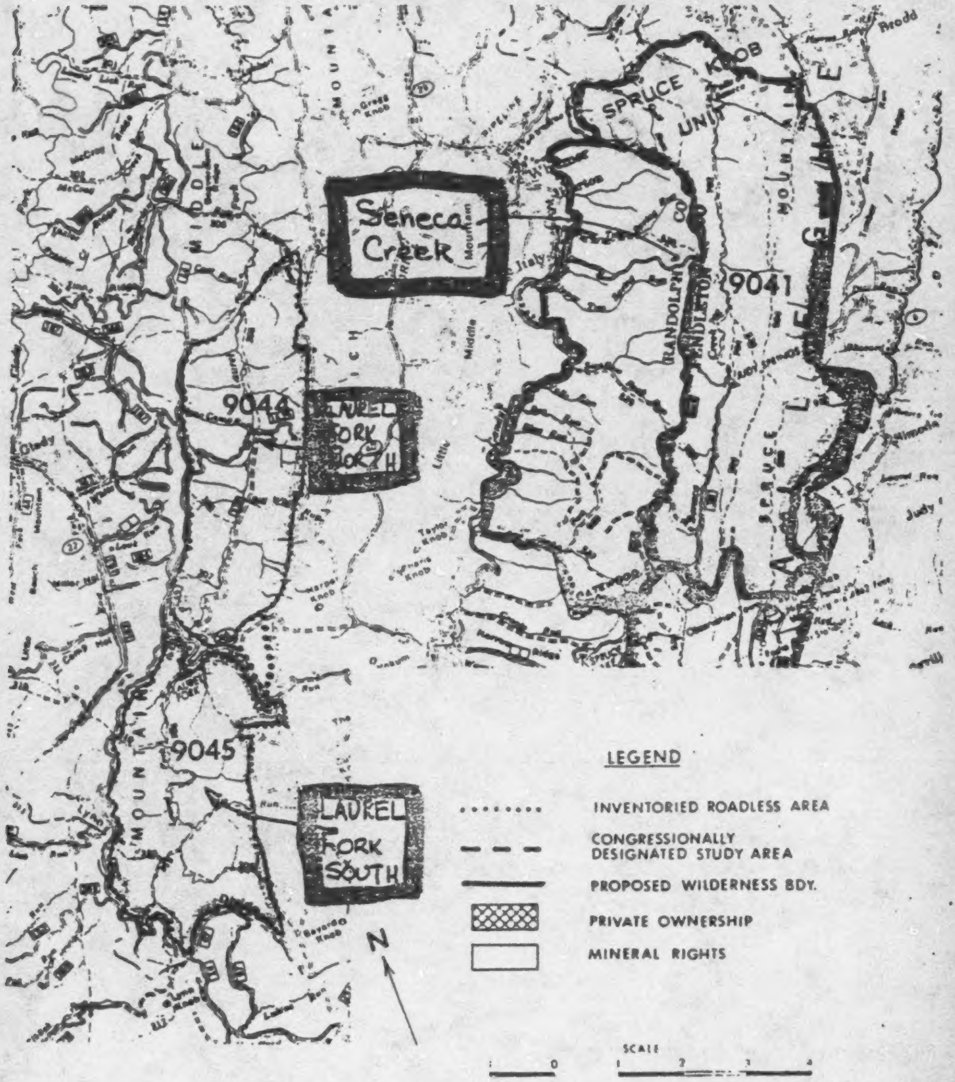
9010

PROPOSED CRANBERRY WILDERNESS



2/15/79

PROPOSED WILDERNESS AREAS– SENECA CREEK (9041), LAUREL FORK NORTH (9044) & SOUTH (9045)



9041, 44, 45 Seneca Cr.
Laurel Fk No & So
Seneca Creek 09041

W.VA.
2/15/7

Mr. HOUSLEY. Mr. Nordwall will show those. The first of these is the RARE II map which shows the areas in question in a general context and there is also a more detailed map of the Cranberry area that is available there.

Senator WALLOP. Could you just, I can't read the color legend from here, would you just state what it is.

Mr. NORDWALL. The blue is recommended wilderness as a result of RARE II. The areas are Cranberry, Laurel, North and South, and Seneca Creek.

The yellow areas are existing wildernesses, Dolly Sod, and the other Otter Creek. The green are areas that were inventoried but recommended for nonwilderness. The rest in green is national forest ownership.

Senator WALLOP. And the other one is the outline.

Mr. NORDWALL. It is the outline of the proposed Cranberry.

Senator WALLOP. That is all forest land. There is no private surface.

Mr. HOUSLEY. It is entirely federally owned.

The CHAIRMAN. Just one question. You say those were recommended in the RARE II process. Were they recommended by the personnel in the field? Would they then recommend after having been reviewed at the upper levels, were they then recommended again after the administration review?

Mr. HOUSLEY. They were originally recommended clear through the administration review in the last administration.

The CHAIRMAN. But they were recommended at each level?

Mr. HOUSLEY. Yes, sir, as I understand it.

The CHAIRMAN. By the people in the field, by the Supervisor, in the Chief's office as well as the Assistant Secretary's office?

Mr. HOUSLEY. Yes, sir, that is correct, based on the understanding of mineral values we had at that time.

The CHAIRMAN. Was there any change in the boundaries as a result of that review process?

Mr. HOUSLEY. I don't recall any. Mr. Girton informs me there were none.

The CHAIRMAN. Thank you.

Senator WALLOP. Let me ask one last question. They are now managed as primitive areas or as roadless.

Mr. HOUSLEY. The Cranberry has been managed for a good number of years as back country and the others, of course, are managed to preserve what wilderness values they have pending their disposition.

Senator WALLOP. Would there be any reason to change that management short of somebody exercising their right to access the mineral?

Mr. HOUSLEY. That would, of course, be up to the decisions that will be made in the forest land resource management planning process, but they could well be managed as much as they have in the past.

Senator WALLOP. Would you anticipate that that probably would be the result of that process?

Mr. HOUSLEY. I would not want to preempt the Supervisor's decision, but that is a particularly likely outcome in the case of the

Cranberry area because of the long history of that type of management.

Senator WALLOP. In the other areas, are there timber values that would be enticing?

Mr. HOUSLEY. Those are valuable and productive lands, but presumably that option is one that will be carefully considered.

Senator WALLOP. Anything else?

The CHAIRMAN. My recollection is that this was an area, portions of which, if not all, were logged at one time and that the logging that was done was done by the railroads. Is that correct?

Mr. HOUSLEY. Yes, sir, those areas were logged in the early days and portions of the Cranberry, again, probably 20 or 25 years ago.

The CHAIRMAN. The rails and ties have been removed but the railbeds were not obliterated.

Mr. HOUSLEY. I think that is correct in many cases.

The CHAIRMAN. And there is access by vehicle in these areas on those old, on a portion of those old railbeds, but that motorized vehicular traffic is done by no one except Forest Service personnel.

Mr. HOUSLEY. That is correct, sir.

Senator WALLOP. Thank you very much, Chief Housley. We appreciate it.

Mr. HOUSLEY. Thank you, Mr. Chairman.

Senator WALLOP. Congressman Benedict is still in the process of voting. So, the next witness will be Hon. David Callaghan, director of the Department of Natural Resources, State of West Virginia, Charleston, W. Va.

STATEMENT OF DAVID C. CALLAGHAN, DIRECTOR, WEST VIRGINIA DEPARTMENT OF NATURAL RESOURCES, CHARLESTON, W. VA.

Mr. CALLAGHAN. Thank you, sir. Mr. Chairman, members of the committee, ladies and gentlemen, I appear today as director of the West Virginia Department of Natural Resources to express our support of H.R. 5161. After extensive study done at the direction of Congress by the U.S. Forest Service, the Forest Service has identified two primary areas, the Cranberry and the Laurel Fork areas, as meeting the requirements of the Wilderness Act.

The Forest Service after these studies has determined that these areas meet the requirements of the act in terms of need, location, suitability, availability and manageability as wilderness.

I think that in considering this issue, it is important that the committee recognize the primary and historic recreational use of the area. West Virginians have come to look at the Cranberry area as primarily a recreational area since development has not taken place there in recent years.

For example, last year over 170,000 man-days of fishing were expended on the Cranberry and Williams River areas. Additional and diverse other recreational uses are growing at a significant rate. Indeed, recreational use of the area has been predominant and growing over the past 40 to 50 years.

The result of this is the fact that the Cranberry area is now held in what might be known as a reverence by many West Virginians or perhaps most West Virginians and many visitors from out of

State. This attitude is made obvious, I think, by various public issues and policies that have come to the forefront in recent years.

An example might be the major public outcry that was brought about in the early 1970's as a result of the U.S. Forest Service activities with regard to clearcutting in the Cranberry area. This issue culminated in an act of the Congress when it passed the 1976 National Forest Management Act, which provides, in fact, the timber harvesting practices of the Forest Service.

In 1978, again for an example, the West Virginia State Legislature passed and Governor Rockefeller signed into law a moratorium banning the issuance of mining permits within the Cranberry study. Currently, the Rockefeller administration, since that moratorium has expired, has adopted a policy of refusing to issue mining permits for any type of mineral removal within the Cranberry area.

The conclusion, I believe, that can be drawn from this is that insofar, at least, as the public in West Virginia is concerned, and this administration in Charleston agrees with that, development in general as an economic activity and in particular mineral development is incompatible with the accepted and primary use of the area, which is recreation and esthetic appreciation.

I think something must be said about the cost that would have to be borne if this bill was adopted. To gain these recreational benefits and to assure their future, we do, of course, have some price to pay. And we might ask what is that price.

For example, we would forfeit or postpone the opportunity to mine approximately two-tenths of 1 percent of the State of West Virginia's similar type coal reserves. Likewise, insofar as timber is concerned, we would forfeit or postpone the opportunity to mine less than 1 percent of what is our annual timber production.

West Virginia, of course, as is well known, has vast reserves of high quality coal. It is also well known that in recent years, as it is today, our production is far, far below our capacity to produce. In terms of timber, it is certainly perhaps our most underutilized resource in that we are growing timber in West Virginia at more than two times the rate that we are harvesting it.

It might be concluded from this that to forfeit or postpone the development of these relatively small amounts of resources is not, at least in our opinion, an unreasonable price to pay for assuring that recreational use of those lands.

Some would say that we are abandoning our dedication to the multiple-use concept of resource management. I would say that this is true only in a very, very narrow sense. If this bill passes, for example, then fully 92 percent of the U.S. Forest Service land in West Virginia remains under multiple-use management concepts and that includes economic, mineral, and forest resource development activity.

This is less than one-tenth of 1 percent of the total surface area in West Virginia which would be committed to wilderness. In reality, Mr. Chairman, we are dealing with extremely small portions of land and resources being committed to wilderness, if you consider them in the proper perspective.

I might conclude by saying that we are blessed in West Virginia with vast resources, both mineral and forest, and almost all of those resources are available for development and as a matter of fact we, in Charleston in the present administration, encourage responsible development of those resources.

What we are asking here today is the setting aside of a very small portion of those resources in a situation where the Congress can change its mind at any time in the future in order to preserve those resources for the widely accepted public use that they have today and that is the public recreation and aesthetic appreciation.

Thank you very much.

[The prepared statement of Mr. Callaghan follows:]

STATEMENT OF DAVID C. CALLAGHAN, DIRECTOR, WEST VIRGINIA DEPARTMENT OF NATURAL RESOURCES

I appear today to express support on behalf of the West Virginia Department of Natural Resources for H.R. 5161, more commonly referred to as the Cranberry Wilderness Bill.

The wilderness areas in H.R. 5161 meet or exceed the standards of "wilderness" as defined by the Wilderness Act of 1964 and the Eastern Wilderness Act of 1975. The Cranberry and Laurel Forks North and South are recognized state and nationwide for their remote characteristics, inherent natural beauty and considerable recreational potential.

As a result of the National Forest Service project known as RARE II (Roadless Area Review and Evaluation II), 24 roadless areas totaling 265,139 acres were identified in West Virginia for possible inclusion in the National Wilderness Preservation System. The Cranberry study area and Laurel Fork North and South were recommended.

The Cranberry area has long been a valuable and highly utilized recreation area. Over 170,000 man days of trout fishing alone were spent on the nearby Cranberry and Williams Rivers last year. Other outdoor recreational activity is also intense and is increasing. Indeed this pattern of usage has been prevalent for the past forty or fifty years. Clearly, the Cranberry area is held in reverence and is synonymous with a place of natural beauty by most West Virginians. "Development" of the area is incompatible with the recreational and aesthetic values and is unacceptable to the public in West Virginia. This attitude has been made obvious because of major public protests to clear-cutting activities by the Forest Service, a legislative moratorium on the issuance of mining permits in the study area (which moratorium has expired), and the decision by this administration to prohibit all coal mining activity in the Cranberry area.

In making decisions relating to the use of resources, there is almost always a price to pay for known benefits. In terms of coal reserves, we would forfeit approximately two-tenths of one percent of West Virginia's similar coal reserves. We would forfeit the opportunity to harvest less than one percent of our annual timber production. In a state where we are presently growing more than two times as much timber as we are harvesting, and when we are producing coal at a rate far below our capacity, this does not seem to be an unreasonable price to pay.

Some may say that we are abandoning our commitment to "multiple-use" resource management concepts where resources are managed to provide multiple types of uses for maximum numbers of interests. But this is true only in the narrowest sense. If this bill is enacted, about 92 percent of Forest Service lands in West Virginia would remain under multiple-use management, including development. Less than one-tenth of one percent of West Virginia's total land area would be designated as wilderness. In reality, the passage of this bill will set aside extremely small portions of land and resources for wilderness.

Mr. Chairman, we in West Virginia are fortunate in having been blessed by nature with vast mineral and forest resources. Almost all of those resources are available for development, and we encourage that development. What we are asking here today is the setting aside for recreational use a very small portion of those assets to be maintained in their natural state. I urge passage of H.R. 5161.

Senator **WALLOP**. Thank you very much, Mr. Callaghan. Before asking you any questions, you just remain at the table, and I would like to ask Congressman Benedict to make his statement.

STATEMENT OF HON. CLEVE BENEDICT, A U.S. REPRESENTATIVE FROM THE STATE OF WEST VIRGINIA

Mr. **Benedict**. Mr. Chairman, before I begin, I want to say thank you to you and compliment you for your leadership in holding these hearings and I am very flattered and honored to have an opportunity to add my own voice to those of other West Virginian supporters. It is very important legislation.

It is important to us in West Virginia and I think it has significance for regions beyond our borders for the eastern United States. So I am very pleased and I thank you sincerely for the opportunity to come here today and present this along with other voices.

I am also delighted that the director of our department of natural resources, David Callaghan, is here. I am pleased that I was late and had the opportunity to listen to his testimony, because even though we are on opposite political parties, we surely agree on this very important issue. And I think it is that kind of an issue in West Virginia.

So I say thank you again for the opportunity to be here to speak in support of the Cranberry wilderness bill which designates three wilderness areas in the Second District of West Virginia. These areas, which will provide significant additions to the existing wilderness system in the East, are the 35,000-acre Cranberry, which Mr. Callaghan has spoken directly to, and then the 6,100-acre Laurel Fork North and the 6,100-acre Laurel Fork South, also in the Second District of West Virginia.

This bill represents the final step in what has been over a decade of study, review, recommendation and congressional consideration. I introduced the Cranberry wilderness bill in December 1981. Since then, it has been the subject of thorough review in the House of Representatives and was passed unanimously on June 14 of this year.

H.R. 5161, the Cranberry bill, is indeed a compromise. It strikes a balance, I believe, between developmental and environmental interests and will benefit the citizens of West Virginia and the rest of the country by making worthy additions to our national wilderness preservation system.

The legislation completes the process under the National Forest Service's second roadless area review and evaluation study, that is the RARE II process, and it was completed in January 1979.

All of the wilderness areas in this bill were recommended for wilderness designation. Two other areas within the forest are released from further consideration under the RARE II process, and thus by this bill we complete the planning cycle that was begun under the RARE II process in response to the 1964 Wilderness Act.

Outstanding among proposed wilderness areas in West Virginia and the east is the Cranberry. Lying within the Monongahela National Forest, the Cranberry is a diverse undeveloped forest that is recognized for its unique biological characteristics. In 1975 the Eastern Wilderness Act singled out the Cranberry for special study.

The area, virtually all of which has been closed to motorized use since its designation as the Cranberry back country in 1936, is bordered on two sides by the Williams and Cranberry Rivers. The

Cranberry lies in the Allegheny Plateau and consists of tall mountains divided by steep drainages. It provides a home for more than 50 species of bird and vegetation as well as black bear.

Public support for designating the area as wilderness is widespread. The Cranberry provides excellent opportunities for recreation in a primitive setting. I might add when I first made my commitment to this legislation in 1978, it was in response to the Izaak Walton League of Greenbrier County, which was a very active chapter at that time, and the leadership evolved into the State Izaak Walton League and this was their number one consideration, legislative priority. And I indicated to them at that time that upon my election to Congress that I would indeed introduce and support this legislation.

The popularity the Cranberry provides—the Cranberry provides excellent opportunities for recreation in a primitive setting. The popularity of such recreation could easily double in the years ahead and in this particular area is easily accessed from the east by modern highways.

In 1978 when it appeared that the area might be mined for privately owned coal beneath the potential wilderness area, the West Virginia Legislature imposed a temporary moratorium on mining in order to give Congress the opportunity to act to preserve the area in its pristine state.

Although the surface rights to the Cranberry were bought by the Federal Government in the early 1900's, the subsurface mineral rights, which include coal, and significant reserves of coal are owned by a private corporation, the CSX Co.

This bill offers a solution to the problem of private ownership of subsurface rights by providing for an exchange of privately owned coal of equal value outside the Cranberry area.

I would like to stress that this is of no significant cost to the taxpayer. The mineral rights which are given up in another area by the Federal Government are or will be of equal value to those brought to the Federal Government through this exchange in the Cranberry.

The exchange provisions in this bill contain three main features. First, the exchange concept itself avoids direct cash outlays by the Federal Government by allowing the swap of already owned Federal mineral rights for those owned by CSX.

Second, the bill establishes a 3-year timetable for completion of the exchange. And, last, in order to insure the completion of the exchange within the 3-year period, the bill provides for impartial and binding arbitration to be conducted by an arbitration board in accordance with the rules of the American Arbitration Association.

This element of the legislation was introduced and with a full understanding of the private landowner in the area and in response to my understanding that the courts are encouraging the use of arbitration to resolve disputes and to ease this burden on the court system.

This last feature will help insure expeditious settlement and, most importantly, will help avoid the need to resort to Government purchase of the privately owned mineral rights. In short, these exchange provisions will insure a swap with the least possible cost to the Federal Government.

Mr. Chairman, I am proud to be a West Virginian and I am equally proud to sponsor this legislation. I hope this committee will act favorably on this bill to preserve a beautiful and worthy section of West Virginia. And I would be delighted to answer any questions.

[The prepared statement of Mr. Benedict follows:]

STATEMENT OF HON. CLEVE BENEDICT, A U.S. REPRESENTATIVE FROM THE STATE OF WEST VIRGINIA

I am pleased to be here today to speak in support of H.R. 5161—the Cranberry Wilderness bill—to designate three wilderness areas in my district in West Virginia. These areas, which will provide significant additions to the existing wilderness system in the East, are the 35,000-acre Cranberry, the 6,100-acre Laurel Fork North, and the 6,100-acre Laurel Fork South.

This bill represents the final step in what has been over a decade of study, review, recommendation, and congressional consideration. I introduced the Cranberry Wilderness bill in December of 1981. Since then, it has been the subject of thorough review in the House of Representatives and was passed unanimously on June 14 of this year.

H.R. 5161 is a compromise. It strikes a balance between developmental and environmental interests, and will benefit the citizens of West Virginia and the rest of the country by making worthy additions to our national wilderness preservation system. This legislation completes the process under the National Forest Service's second roadless area review and evaluation study, that is the RARE II process, completed in January 1979.

All of the wilderness areas in this bill were recommended for wilderness designation. Two other areas within the forest are released from further consideration under the RARE II process.

Outstanding among proposed wilderness areas in West Virginia and the East is the Cranberry. Lying within the Monongahela National Forest, the Cranberry is a diverse undeveloped forest that is recognized for its unique biological characteristics. In 1975, the Eastern Wilderness Act singled out the Cranberry for special study. The area, virtually all of which has been closed to motorized use since its designation as the Cranberry back country in 1936, is bordered on two sides by the Williams and Cranberry Rivers. The Cranberry lies in the Allegheny Plateau and consists of tall mountains divided by steep drainages. It provides a home for more than 50 species of bird and vegetation, as well as black bear.

Public support for designating the area as wilderness is widespread. The Cranberry provides excellent opportunities for recreation in a primitive setting. The popularity of such recreation could easily double in the years ahead, and in this particular areas is easily accessed from the east by modern highways. In 1978, when it appeared that the area might be mined for privately owned coal beneath the potential wilderness area, the West Virginia Legislature imposed a temporary moratorium on mining in order to give Congress the opportunity to act to preserve the area in its pristine state.

Although the surface rights to the Cranberry were bought by the Federal Government in the early 1900's, the subsurface mineral rights, which include coal, are owned by a private corporation, the CSX Company. This bill offers a solution to the problem of private ownership of subsurface rights by providing for an exchange of privately owned coal of equal value outside the Cranberry area.

I would like to stress that this is of no significant cost to the taxpayer. The mineral rights which are given up in another area are of equal value to those brought to the Federal Government through this exchange.

The exchange provisions in this bill contain three main features. First, the exchange concept itself avoids direct cash outlays by the Federal Government by allowing the swap of already owned Federal mineral rights for those owned by CSX in the Cranberry. Second, the bill establishes a three-year timetable for completion of the exchange. Last, in order to ensure the completion of the exchange within the 3-year period, the bill provides for impartial and binding arbitration to be conducted by an arbitration board in accordance with the rules of the American Arbitration Association. This last feature will ensure expeditious settlement and, most importantly, will help avoid the need to resort to Government purchase of the privately owned mineral rights. In short, these exchange provisions will ensure a swap with the least possible cost to the Federal Government.

Mr. Chairman, I am proud to be a West Virginian, and I am equally proud to sponsor this legislation. I urge this committee to act favorably on this bill to preserve a beautiful and worthy section of West Virginia wilderness.

Senator **WALLOP**. Thank you very much, Congressman Benedict. The bill as you point out offers a solution but it is not an easy solution to achieve. I wonder if either you or Mr. Callaghan could comment on whether West Virginia has or you can identify Federal holdings within the State of West Virginia, which might be of equal value.

Because I can tell you plainly that when you get outside the boundaries of the State of West Virginia and you are putting another player in, and that is the Governor of whatever State the other resource might be swapped for, in other words, as was pointed out in your absence, the States are entitled to a share of the bonus bids and a share of the royalty that comes off the production of Federal coal, Federal minerals.

And so if you could give us a hand. Do you believe that there are Federal holdings of coal of an equivalent value within the State of West Virginia.

Mr. **CALLAGHAN**. I personally think that there are. But it seems to me, sir, that even though that could possibly be a difficult problem, there are many States that are very much interested in mineral development. It seems to me that the Secretary of Agriculture could tie that land exchange to some type of timetable for development which many States are interested in and, therefore, perhaps expedite the process.

Senator **WALLOP**. That only covers one part of it though. If it is Federal coal and it is put up for bid, there is a bonus bidding system to which the States, the rest of the States are entitled to a substantial share.

That is where you come into the problem which is one that we have not been able to find a comfortable resolution and I am curious to know. Obviously you did not come prepared to answer that question, and I would not expect you to, but I wonder if when you go back you might be able to provide for the committee some kind of an assessment of Federal holdings or West Virginia holdings of reasonably equivalent value within the boundary of West Virginia that might be made available. I think that would ease our problem considerably.

Mr. **BENEDICT**. I frankly am not optimistic in finding like reserves owned by the Federal Government within West Virginia. I have had limited conversations and it seems that the interest is centered in holdings of the Bureau of Land Management outside of West Virginia but also in the East.

Senator **WALLOP**. That is where we have the problem and it is genuinely a problem, because you have tried it. I have started on this whole idea of exchanges with a good deal more innocence than wisdom. My wisdom is getting higher and my innocence is getting considerably less as we have been wrestling with these issues.

The other States are just not very excited about having their entitlements simply disposed of and that is about what it amounts to.

Mr. **BENEDICT**. I recognize the difficulty that you raise, Senator, and I would want to minimize it. What we have in the situation today is really a defacto confiscation of the reserves of the private landowner if they exist. And while the CSX Corp. is not one which you or I are likely to feel particularly sorry for, there is still that element of equity in our system.

Senator WALLOP. I think that is a constitutional element.

Mr. BENEDICT. We select this method of compensation over the cash buy-out because it seemed to be a much better deal for the taxpayers of the United States and I recognize that there are things that complicate the situation.

Senator WALLOP. Realizing you cannot speak for either your legislature or the Governor, would you think that there would be sufficient interest in West Virginia that they would at least consider the exchange of West Virginia minerals in some proportion for those that are held within those boundaries of the State of West Virginia.

Mr. CALLAGHAN. Our mineral holdings are quite limited in West Virginia, Sir. I don't think that we have 23,000 acres of coal in one block anywhere, but it is something that we certainly would look in to and it would be, I believe, possible for us to do that legally.

Senator WALLOP. Well, I certainly do not mean to complicate an issue, but I am not. The issue is complicated of and by itself. And anything that you might be able to provide us——

Mr. BENEDICT. Thank you. Because you clearly have put your finger on a difficult area that this legislation does not address.

Senator WALLOP. Senator McClure.

The CHAIRMAN. First, let me compliment you on the foresight and the leadership you have given in this issue. You obviously did a lot of work and you also have cut through the impact upon the local areas and you have consulted with people in the area, which I think is important.

These resources belong to all of the people in the United States, the surface resources certainly. But I do believe the people in the locality have a greater right to be concerned. They are impacted more by management decisions. Apparently by your introduction of this bill, your Statement, you feel very confident that people in the area affected are in favor of this kind of legislation.

Mr. BENEDICT. I think it should be said in this issue, as with all issues, it is not unanimous in support, but I think throughout the second District of West Virginia and indeed the State of West Virginia there is very strong bipartisan support for it.

The CHAIRMAN. I would not seek unanimity. If there were unanimity, I would suspect there was something wrong. We don't make resource evaluations in that kind of climate. There ia a problem obviously with the fact that it is a minority of people. But as the elected representative of the people in that area, they elected you knowing what your position was. You have had an opportunity to see what their reaction is since that election.

Mr. BENEDICT. I am here today.

The CHAIRMAN. You are here today. You have introduced the legislation and we are familiar with that fact. You have had the opportunity for the feedback from them as a result of your legislative initiative and I weigh that very heavily in my own decisions, because I do believe the people in that locality have a better right to speak with respect to those resources than does anyone else.

Mr. Callaghan, I am also pleased to know that the administration of the government of West Virginia is in favor of that, because that too, it seems to me, says the people in West Virginia as a whole have a better right to speak of the assignment of resources in West Virginia than do the other 49 States. That speaks loudly as well.

Mr. Callaghan, you said in one point in your Statement the decision of this administration was to prohibit all coal mining activity in the area. Are you referring to the State administration or the national?

Mr. CALLAGHAN. The State administration, sir.

The CHAIRMAN. And when the State moves to prohibit the exploitation of a resource which is held by private interests, does the State feel an obligation to compensate for that action?

Mr. CALLAGHAN. No, sir, we do not. And, of course, the Federal Surface Mining Act which gives authority to the Federal Government and the States to prohibit mining in specific areas does not require compensation and that has been upheld by the Supreme Court as a valid exercise of police powers.

The CHAIRMAN. In this instance, the legislation does call for compensation by way of exchange.

Mr. CALLAGHAN. Yes, sir.

The CHAIRMAN. My understanding and perhaps one or the other of you would be able to answer that or other witnesses will be able to, you have also indicated that you do not believe there are similar mineral interests either in the region or—within this area or within the State of West Virginia that would be available for the exchange.

Mr. CALLAGHAN. Sir, I would have to look into that question. It is something that we have not addressed and I would not feel comfortable giving you a definitive answer on that right now.

The CHAIRMAN. My understanding is that they may be looking at Kentucky. We have not heard from the Governor or the representatives of Kentucky whether they are enthusiastic about that within their boundaries. As the chairman indicates, I am sure we will.

I will ask if that particular decision is elevated to the point of public scrutiny and that is the reason I mention it now is are we really contemplating that. If that is an area for preferred exchange the people involved there ought to be just as aware and have the same opportunity to express their opinions, both in the area of where it would occur and in the State where it would occur as other people in West Virginia with respect to their desires and we will seek to give them that opportunity.

Again, I compliment you both, both the State administration and you, Congressman Benedict, for your interest in this legislation and I appreciate your appearance and testimony here today. I have no further questions.

Senator WALLOP. I add my compliments to you both as well, because it is a problem, which does not mean we can ignore it. And I am a little unhappy the House just passed the bill and tossed it over and said you guys figure it out.

Mr. BENEDICT. We are confident in your wisdom. There is, of course, an easy alternative in formulating this legislation that is a simple cash compensation. It removes it. I am confident that the owner of the mineral rights would be delighted to talk in those terms.

However, it seems to me that was excessively burdensome to the U.S. taxpayer and with today's budget restraints and the situation we are hardly able to suggest that alternative. We chose this roadway to walk from the taxpayer's point of view.

The **CHAIRMAN**. I agree with you. I think if you ask for tax compensation and you went through the budget process, you would be a long time in waiting.

Senator **WALLOP**. That is why that may be an easy solution but a difficult one to achieve. I appreciate your coming over here and I appreciate your traveling down here.

Next is a panel——

The **CHAIRMAN**. Before Mr. Callaghan leaves, let me make an observation for the record and I think it would be an unfairness on my part for me to make the observation while Mr. Callaghan was absent. There have been suggestions made that there will be demands made for compensation of local units of government for revenues foregone.

The West Virginia State government has not made that request. Am I correct?

Mr. **CALLAGHAN**. No, sir, but certainly we would endorse that request. I think that Pocahontas County alone stands to lose something in the order of $17,000.

The **CHAIRMAN**. But they lose nothing if you compare it to the action already taken by the West Virginia government for bidding the exploitation of coal.

Mr. **CALLAGHAN**. No, sir, their——

The **CHAIRMAN**. They get the same amount of revenue either way.

Mr. **CALLAGHAN**. The loss is related to property taxes that CSX Corp. pays on their minerals.

The **CHAIRMAN**. Even though they cannot exploit the minerals they are still taxed.

Mr. **CALLAGHAN**. Yes, sir.

The **CHAIRMAN**. That sure is a fair deal, isn't it? I compliment the people of West Virginia for having found a way to tax something they can't use.

Senator **WALLOP**. Life is complicated. Thank you very much, gentlemen.

The next is a panel of Walter Helmick, chairman of the county commission of Pocahontas County, Marlinton, W. Va.; Dolan Irvine, county assessor, Pocahontas County, Minnehaha Springs, W. Va.; Joe Adams, commissioner, Webster County, Webster Springs, W. Va.; Frank Ayers, commissioner of Webster County, Cowen, W. Va.

I would again ask you if you might be able to summarize your statements and all of them will be put in the record in their entirety. And I appreciate your coming down here today.

Mr. Helmick.

STATEMENT OF WALTER HELMICK, CHAIRMAN, COUNTY COMMISSION, POCAHONTAS COUNTY, MARLINTON, W. VA.

Mr. HELMICK. Thank you. Mr. Chairman, we appreciate the opportunity to address the problem that has existed in Pocahontas County and in the area for some time as to whether or not the so-called Cranberry wilderness can be designated as such.

The Pocahontas County Commission would like to go on record opposing the piece of legislation as presented by Congressman Cleve Benedict. It is our opinion that as many uses as possible should be incorporated in this area, primarily timbering and mining, as well as recreational activities.

This area was set aside as wilderness. The possibility of 300 mining jobs would be lost and as many as 150 timbering jobs would be lost. The possibility of additional employment from oil and gas developments should be considered.

We believe the development can be pursued in such a manner that will not damage the area and will leave the back country similar to what it is. The people most affected if the area is allowed to be deep mined are Pocahontas, Webster, and Nicholas Counties. Webster County's people would receive most of the employment, because the access to the area from the Webster County side is much better.

Nicholas County would also receive employment. Because of mass layoffs in the coal industry, Webster County ranks second or third in unemployment in the State of West Virginia with a figure of 17-percent unemployed in Webster County at this time.

It is estimated that 18.5 million tons of high grade metallurgical coal lie in the Cranberry area. This is a documented tonnage. Pocahontas County has some 603,000 acres. Of that, 291,000 are federally owned lands and an additional 37,000 are State owned. We certainly feel that we have given up enough.

The hardwood that grows in the area is among some of the best in the United States. The amount of timber growth in the proposed area is some 10 million board feet per year. Those figures I received from the Forest Service. This would sustain two of our larger sawmills. When I spoke regarding this issue in January in a House hearing committee, very little has changed to the people that would be affected by this bill except the area's economic situation has become even darker.

Economically, comparing the wilderness, control, and development is difficult, but it is obvious development is the only way that best fits our needs. Many of the rare plantlife and flowers that now grow will vanish if the area receives wilderness designation and also the areas would be closed to all handicapped, the elderly, and those medically disadvantaged.

The people of Webster, Pocahontas, and Nicholas Counties are most affected by this impending decision. Congressman Benedict has not consulted with any of the governing bodies of any of these three counties, Webster, Nicholas, or Pocahontas. We certainly realize that we are politically insignificant.

We, therefore, considering what I have mentioned above, oppose wilderness designation. Studies have concluded that less than 1 percent of our population ever use wilderness areas and those generally come from the wealthy.

If Congress chooses to make this area wilderness then we feel strongly about the counties affected being compensated. This bill provides for something for everyone, the railroads and the environmentalists, except the people that we have to provide services for in Webster, Pocahontas, and Nicholas Counties.

We feel very strongly about compensation if the area does receive wilderness designation. We receive some $27,000 and not $17,000 in taxes at this time. Under new decisions that have been handed down in the courts in West Virginia, we will receive much more in taxes for that area.

We certainly cannot afford to give up that amount of money without being compensated in some manner. The taxes over a long period of time certainly amount to something in Pocahontas County where we do have 603,000 acres and less than 10,000 people, $27,000 is a great deal of money.

We realize we do receive belt legislation money, but each time we come up here and each time we discuss that, that piece of legislation is always in limbo as to whether or not we will receive additional funding. Revenue sharing, we receive our share there but again it is in land.

We have not been consulted and we feel very strongly about this issue and we feel that we are the most affected and should be considered very strongly.

Thank you.

Senator WALLOP. Thank you, Mr. Helmick. Mr. Irvine.

STATEMENT OF DOLAN IRVINE, COUNTY ASSESSOR, POCAHONTAS COUNTY, MINEHAHA SPRINGS, W. VA.

Mr. IRVINE. The West Virginia Pittsburgh Railroad Co. owns 32,946 acres of minerals in Pocahontas County, which all lies in the Cranberry wilderness area. These minerals are assessed at $1,800,000 and they do pay $27,000 per year in Pocahontas County taxes.

With the new tax amendment which is proposed to be put on the ballot this fall, all properties will be assessed at 100 percent or their true and actual value. This means if we figure the coal reserves as was stated here before at somewhere between 14 and 24 million or 28 million, I believe the statement was made, if we take those figures and 60 percent of that it comes out—take 18 million, 60 percent of 18 million makes those coal reserves assessed at $10,800,000 which generates $162,000 for Pocahontas County in tax revenues.

Of course, this will not come about until the reappraisal is made within the State and, of course, this includes all properties not just coal properties. In other words, all of us in West Virginia in Pocahontas County will be paying higher taxes. Therefore, each time the Federal Government takes a dollar away from our tax base, it affects the rest of us who are left.

Therefore, we are opposed to this particular amendment.

Senator WALLOP. Thank you, Mr. Irvine. Mr. Adams.

STATEMENT OF JOE ADAMS, COMMISSIONER, WEBSTER COUNTY, WEBSTER SPRINGS, W. VA.

Mr. **Adams**. Thank you, Mr. Chairman. I had pretty much the same thing here that Mr. Helmick did and I had not consulted him prior to this in regard to this hearing, but speaking for the Webster County Commission, I along with the other two members oppose H.R. 5161 for the same reasons that Mr. Helmick just brought out.

We are in a highly depressed area. As he just mentioned, we have a 17-percent unemployment rate in our county. That was the June figures. West Virginia Pittsburgh Railroad Co. owns approximately 58,950 acres in our county, which takes almost a third of our county and it is an area where coal production is very high. Our coal reserves are there.

We have a tax collection from just this one tract. There are other owners like the Georgia Pacific that own property in there as well. They own the minerals not the property. With West Virginia Pittsburgh Co., we collect $44,978 a year from them in taxes. This to us is life. We have a general revenue or our general funds, our general county fund is $537,000 a year for us to run our county on.

Of course, you all know what services the county commission has to sponsor in regard to our county governments. We know that this would be a back breaker to our county. For one thing, our youth are all leaving our area, because there is not any employment. The timbering industry is second probably to coal mining is down.

We have no future unless we can mine our coal and that coal is in abundance out there and it could be mined if they would permit us to do it. I can say for myself speaking and others that I have talked to who know mining, I have talked with geologists, that they would not do any harm to any of our streams by mining in that area with underground mines.

This, I think, has been proven. Of course, they did have a moratorium up against this coal mining in the area and it did prohibit a company from going any further than two mines, which they were going to do. And they promised that they would hire 300 employees at that time. We have another area in our northern district which has coal under it, the Holly River State Park, which there are no resources that can be gotten out of there. So we have close to half our entire surface area that is in a park system and this hurts us very badly.

And then we have some matter, if and God I forbid, this did become a wilderness area what compensatory services are we going to get from the Federal Government. This is a life and death matter to us folks and I am speaking in regard to the citizens in our county.

I have not talked to more than a half-dozen people that are for this becoming a wilderness area. And I have not seen Mr. Benedict in our area questioning anyone about it, maybe two or three people, perhaps he has talked to more. I have not talked to but two or three people who say they would like to see that become a wilderness area.

People are interested in going to work and we need it. And I thank you very much for the opportunity to stand before you and speak to you.

Senator **Wallop**. Thank you, Mr. Adams.

Mr. Ayers.

STATEMENT OF FRANK AYERS, COMMISSIONER, WEBSTER COUNTY, COWEN, W. VA.

Mr. **Ayers**. Mr. Chairman, I go along with Mr. Adams and Mr. Helmick on what they have said.

Senator **Wallop**. Senator McClure.

The **Chairman**. You recited a figure and I was not sure that I got it correctly. You were talking about the taxes that are assessed and collected from the railroad company.

Mr. **Adams**. I assume this is the Chessie system. We have it on our tax records as the West Virginia-Pittsburgh Railroad Co. They have mineral rights of 58,950 acres in Webster County. I have the assessment record here that has been attested by the county clerk, which I will be glad to give you a copy of.

The **Chairman**. I would like to have that put in the record.

[The assessment record follows:]

TABLE OF TRACTS OF LAND OR TOWN LOTS

IN FORK LICK DISTRICT, WEBSTER COUNTY, WEST VIRGINIA

For the Assessment Year Beginning July 1, 19 81 , for the Taxable Year 19 82 , Together with the Assessed Value and the Total Amount of Taxes Levied Thereon.

State of West Virginia,
County of Webster, to-wit:

I, Nancy C. Gillespie, Clerk of the Webster County Commission, do hereby certify the attached copy to be a true and correct copy of the 1982 Land Book of Webster County, West Virginia, and consisting of page 84 of Fork Lick District, Webster County, West Virginia.

Given, under my hand this the 9th day of August, 1982.

Nancy C Gillespie
Clerk, Webster County Court

Tax Ticket Number	NAME OF PROPERTY OWNER	Map	Parcel	ESTATE OWNED & DESCRIPTION	Value of Land	Value of Buildings	Total Value of Land and Buildings	Net Assessed Value (Homestead Purposes Only)	Value of Land	Value of Buildings	Total Value of Land and Buildings	Class 2	Class 3 or 4	EXPLANATION	First Half amount of taxes Class No. 2 Rate 82.32 On Each $100 Valuation	First Half amount of taxes Class 3 or 4 Rate [illegible] On Each $100 Valuation	Date Collected First Half	Second Half amount of taxes Class No. 2 Rate On Each $100 Valuation	Second Half amount of taxes Class 3 or 4 Rate On Each $100 Valuation	Date Collected Second Half	REMARKS
	W.VA. & PITTSBURG R.R. CO.			45 Fee, Gauley River					3710		3710					39.50					73-483
63	Same			27,415 Ac. Min. Gauley & Tribs.					1,167,830		1,167,830					12,427.53					73-453-455
	WESTERN MARYLAND RAILWAY CO.			10 Fee, Elk River					300		300					3.21					114-285
	Same			99 Fee, White Ar. Falls					2520		2520					26.79					Same
	Same			285 Fee, Elk River					10,750		10,750					88.60					12?-28
157	CRAWFORD, Edna Howard 1/2			47 Min. Big Run					370		370					3.96					57-291
71	Same 1/7			88.1 Min. S. Side Gauley					190		190					2.04					Same
	Same 1/3			73 Min. Gauley River					210		210					2.39					Same
	Same 1/2			144.75 Min.Less Coal Gauley River					150		150					1.24					Same
				TOTAL CLASS 2											126.42						
				TOTAL CLASS 3 OR 4												12,731.50					

TABLE OF TRACTS OF LAND OR TOWN LOTS

114 IN Glade DISTRICT, Webster COUNTY, WEST VIRGINIA

For the Assessment Year Beginning July 1, 19 81, for the Taxable Year 19 82, Together with the Assessed Value and the Total Amount of Taxes Levied Thereon.

	Name of Property Owner	Map	Parcel	Estate Owned & Description	Value of Land	Value of Buildings	Total Value of Land and Buildings	Net Assessed Value	Value of Land	Value of Buildings	Total Value of Land	Class 1	Class 3 or 4	Explanation	First Half amount of taxes Class No. 2 Rate 32.42 On Each $100	First Half amount of taxes Class 3 or 4 Rate 164.84 On Each $100	Date Collected First Half	Second Half amount of taxes Class No. 2 Rate On Each $100	Second Half amount of taxes Class 3 or 4 Rate On Each $100	Date Collected Second Half	Remarks
-221	W.VA. & PITTSBURGH R.R. CO.			1563 Min. Cranberry Ridge					329,780		329,780					2,717.80					
-221	Same			22,629 Min. Williams River					878,910		878,910					7,243.90					
-221	Same			94 Min. Cranberry Ridge					3700		3700					30.50					
	[illegible] Robert etux	GD9	101	Lot 182 McGuire Add.	500	1540	2040								8.41						112-2
	" Robert A.&[illegible]	GD8	82	Lots 183-184 McGuire Add.					550		550					4.53					160-45
	" Steven P.&Debra	GD3	76	Pt. Lot A(??,811 Sq.Ft.)Smith Add.05					280		280					2.31					180-450
	" Same	GD6	4	Lots 70-72 Smith Add.83	500	9680	10,180								41.95						169-110
	" [illegible] V.	5A	204	3 Fee. Gauley River					300		300					2.47					190-551
	WEBSTER CO. BOARD OF EDUCATION	5A	173-1	.875 Ac. Johnson Add.	EXEMPT																164-3
	Same	5A	17	1.95 Ac. Gauley Rts.	EXEMPT																170-298
	Same	5A	147	12,647 Sq.Ft. Upper Glade	EXEMPT																169-229
				TOTAL CLASS 2											[illegible]						
				TOTAL CLASS 3 OR 4												10,020.30					

State of West Virginia,
County of Webster, to-wit:

I, Nancy C. Gillespie, Clerk of the Webster County Commission, do hereby certify the attached copy to be a true and correct copy of the 1982 Land Book of Webster County, West Virginia, and consisting of page 114 of Glade District, Webster County West Virginia.

Given under my hand this the 9th day of August, 1982.

Nancy C. Gillespie
Clerk, Webster County Court

The **Chairman**. I would also like to have, if you could segregate it for that portion of those mineral rights which would be within the boundaries of the proposed wilderness area.

Mr. **Adams**. It is in the boundaries of Webster County, sir.

The **Chairman**. I understand that, but only a portion of that is affected by the proposed wilderness.

Mr. **Adams**. There is 58,950 acres that are in, I assume that they are in this—this was in this.

Mr. **Helmick**. That would not totally be affected.

Mr. **Adams**. I understand that, but I am saying that this is in the national forest. That is what I meant, sir.

The **Chairman**. I would like, if you can provide that, how much of that land is within the boundaries of the proposed wilderness.

Mr. **Adams**. I will send that to you, sir.

The **Chairman**. Thank you. I wonder if you can do that for Pocahontas County.

Mr. **Helmick**. Yes, we have that here.

Senator **Wallop**. You don't have to do it now. You can leave it with somebody from the staff. I might just add that if you want to make formal written statements on behalf of your counties or particular constituents, I would again point out that the record will be open for 2 weeks and we very much invite you to have your citizens represented by the testimony that they feel that they would like to have you give.

[The information follows:]

Commissioners:
Coy D. Gillespie, Hacker Valley, W. Va.
E. Frank Ayers, Cowen, W. Va.
Joe Adams, Webster Springs, W. Va.

Court Meets
First Tuesday
Of Each Month

WEBSTER COUNTY COURT
Nancy C. Gillespie, Clerk
WEBSTER SPRINGS, W. VA. 26288

August 11, 1982

TESTIMONY: Re: HR5161 before the U.S. Senate Committee
on Energy and Natural Resources.

BY: Mr. Ernest F. Ayers, President Webster County Commission
Mr. Joe Adams, Webster County Commission

Mr. Chairman:

The Webster County Commission wishes to go on record in opposition to the above referenced bill concerning wilderness designation of the Cranberry Back Country.

This position has been formulated primarily from consideration of the current and future economic conditions in Webster County. Unemployment in the county for the month of June, 1982 stood at 17%. Only two other counties in the State had higher unemployment.

The economic base of Webster County is the coal industry. Coal mining activities are located primarily in the central and southwestern sections of the county near Cowen. A great deal of the employment in the construction industry is related to the development of these mining operations. Transportation, in the form of coal related railroading, is concentrated in this area also.

According to the United States Forest Service, there are about 100 million tons of coal in this area. Approximately 37 million tons are located in seams of 24 inches or greater and 18 million tons are economically recoverable using current technologies. While most of this coal is actually located in Pocahontas County, best access is from the Webster County side. Therefore, if this area was opened for mining activities it would mean jobs for Webster County coal-miners, contractors, railroaders and truck drivers.

Timbering and tourism are also major employers in the county. Designation of the Cranberry Area as a wilderness area would severely hamper the expansion of these job providing industries in Webster County.

The forest on this land, a mix of Applachian hardwoods, has an estimated annual growth rate of 3.6 million board feet with an annual harvest value of $151,000. Wilderness status would negate this resource as it would preclude all timbering in this area. Also, this bill would destroy the present diversity of the forest since only about ten percent of the current flora and fauna could live under the canopy of a wilderness forest. Since most of the estimated 30,000 annual visitors are hunters, fishermen and campers, tourism would suffer.

Another consideration is the effect this proposal would have on Webster County tax collections. Since the minerals underlying this area are privately owned, they are taxed accordingly. Under wilderness status, it is our understanding that our tax base would suffer. Also, if the coal is mined, Webster County would recieve revenues based on the Coal Severance tax.

In conclusion, we feel that the economy of Webster County would suffer greatly if HR5161 is enacted into law. Webster County would lose jobs in the coal industry, timbering and tourism. Also the tax base in the county would suffer. Wilderness status would provide benefits to only a very small percentage of our population. Therefore, we feel that the area should remain as a back country area providing for multiple uses of our great forests and insuring that the American public recieves the benefits of these resources.

Sincerely,

Ernest F. Ayers

Ernest F. Ayers
President, Webster County Comm.

Joe Adams

Joe Adams
Webster County Commissioner

EFA/JA/mw

The **Chairman**. One further question of each and that is that you have heard the question asked Mr. Callaghan about tax revenues from the areas which have been withdrawn or in which the coal mining has been prohibited by State action. Would that affect your assessment of the values within that area?

Mr. **Adams**. No.

Mr. **Helmick**. We have continued to assess that even though we did feel it was illegal. We thought it was illegal for the State of West Virginia to be involved in a piece of federally owned land and make a decision on the moratorium when they did.

The **Chairman**. Even though the State has taken that action, it has not affected the local government, the county government with respect to the assessment of that land or the collection of taxes on it.

Mr. **Helmick**. Not in either county.

The **Chairman**. And the taxpayers are paying the taxes on that land.

Mr. **Helmick**. They continue to pay.

The **Chairman**. Again, I would like to have both the area and the dollar amount for the record.

Thank you.

Mr. **Adams**. May I add something else?

Senator **Wallop**. Sure.

Mr. **Adams**. The feasibility study that has been made on this by coal companies, its excess would have to come from the area of Webster County, near Cowen.

Senator **Wallop**. Can I just ask you one thing and that is assuming the moratorium, the West Virginia moratorium continues to exist and you have cited the new State law which requires you to assess everything at 100 percent of the value, won't that value necessarily be lower if it is property denied to the holder?

Mr. **Helmick**. We feel very strongly that the railroad will take some type of legal action. The State can't do something with their land and it is certainly wrong and they will not pay taxes on it. I am sure that something will happen that will contest that.

Mr. **Adams**. We feel that we would lose it all.

Senator **Wallop**. Everybody's government does.

I want to thank you all very much for coming down here. We appreciate it. Again, I would invite you to submit a written statement if you wish. Obviously what you have said is recorded, but further testimony you wish to give.

Mr. **Helmick**. We will. Thank you.

The **Chairman**. I would like to note for the record, that you gentlemen have something very much in common with those of us in Idaho, your proportion of private ownership and the Government ownership is about the same as my State.

Mr. **Helmick**. It is too great.

The **Chairman**. I understand what you are saying.

Senator **Wallop**. Next is a panel consisting of Mr. Larry W. George, Wilderness Committee chairman, The West Virginia Highlands Conservancy in Huntington, W. Va.; Ms. Linda Elkinton, West Virginia Office of the National Audubon Society, Morgantown, W. Va.; Peter Coppelman, National Forest specialist and counsel, the Wilderness Society, Washington, D.C.; Lawrence Dietz, president of Cherry River Chapter of the Izaak Walton League, Richwood, W. Va.; Mr. Howard Dietz, chairman, Forest Practices Committee, West Virginia Division of the Izaak Walton League, Richwood, W. Va.

I would again ask if you may summarize your statements. In each instance your entire statement will be submitted in the record.

The **Chairman**. Mr. Chairman, before they begin may I make a comment, I am very sorry that I cannot stay during the presentation. I will read the statements that they have made, but I have another meeting scheduled at 3 o'clock, and I must necessarily go, and I did not want you to misinterpret the reason why is when you came to speak, I got up and left.

I will read the statements very carefully and I appreciate your presence today.

Senator **Wallop**. Thank you, Senator McClure.

Mr. George.

STATEMENT OF LARRY W. GEORGE, CHAIRMAN, WILDERNESS COMMITTEE, THE WEST VIRGINIA HIGHLANDS CONSERVANCY, HUNTINGTON, W. VA.

Mr. **George**. Chairman Wallop, my name is Larry George and I am an attorney and a lifelong resident of Huntington, W. Va. I will say that I will summarize my statement, and read those portions, but keep it under 5 minutes.

Senator **Wallop**. Thank you. Your whole statement will be entered into the record.

Mr. **George**. Thank you very much. I wish to speak in favor of H.R. 5161 on behalf of the West Virginia Highlands Conservancy of which I serve as Wilderness Committee chairman. The conservancy is an 800-member conservation group created in 1964 and has led the effort to designate wilderness areas on the national forest lands of our State.

The conservancy board of directors fully supports H.R. 5161 as sponsored by Representative Cleve Benedict and later amended in the House of Representatives. This bill provides for the inclusion of three U.S. Service RARE II study areas in West Virginia. All three areas have been recommended for wilderness designation by the Department of Agriculture and include the proposed 35,000-acre Cranberry and 61,000 acres each of Laurel Fork North and Laurel Fork South.

All three areas were rated among the highest qualified of the 700 RARE II wilderness study areas in the eastern United States. The Cranberry Wilderness was ranked by the U.S. Forest Service as among the top 10 such study areas in the East. These three proposed wilderness areas encompass the finest of West Virginia's natural areas and include the most pristine and unique wild lands remaining in the Appalachian Mountains today.

By far the crowning jewel of this legislation is wilderness designation for the Cranberry back country in Pocahontas County, W. Va. The Cranberry back country originally was a 53,000-acre tract, most of it included in the proposed Cranberry wilderness, and was established by the Forest Service during the 1930's.

The back country has been closed to motorized access since 1936, resulting in the preservation of its wilderness character in what is now West Virginia's largest roadless area. The Williams and Cranberry Rivers located in the Cranberry area hold national reputations as trout streams, and the back country draws hunters, fishermen and hikers from throughout the eastern United States.

Four generations of West Virginians have admired and enjoyed the Cranberry back country as a recreational resource in its present state of defacto wilderness. West Virginians are taught in their public schools that the Cranberry back country is one of the State's greatest natural resources and that it is part of our State's heritage.

Today the Cranberry wilderness proposal holds overwhelming statewide support and has received the endorsements of Gov. John D. Rockefeller, the State's largest newspapers, including the Charleston Gazette, the Charleston Daily Mail, and the Huntington Herald-Dispatch and a wide range of citizen and conservation groups endorse it.

In 1978, the State legislature enacted a temporary moratorium on coal mining within the Cranberry wilderness study area to allow the Congress the opportunity to grant wilderness status. This bill passed the legislature by the greatest margin of any State environmental legislation in the past decade, 27 to 7 in the Senate and 87 to 10 in our House of Delegates. This moratorium expired last year. The area is now protected by the administrative policy of Governor Rockefeller of which we are in great appreciation of. However, there is no future guarantee of protection for this area after the Rockefeller administration leaves office.

There has been little timbering pressure on the Cranberry area in recent years, due to both the abundance of more accessible private and Federal timberlands and the local economy's primary dependence on coal mining. Two Forest Service timber sales offered in 1980 within a few miles of the Cranberry wilderness failed to receive any bids at all, and were finally withdrawn, unsold.

The greatest threat to the Cranberry wilderness lies in the 32,500 acres of privately owned coal underlying the area. The mining of this coal would prohibit wilderness designation and degrade the Cranberry with coal tipples, slag piles, powerlines, and haul roads.

The 18.5 million tons of estimated recoverable coal are insignificant when compared to the 39 billion tons of coal reserves in West Virginia alone and would have a negligible impact on the Nation's supply of metallurgical coal.

Further, these deposits are thin and fractured, making them difficult to mine under any circumstances and limiting the two proposed mines to relatively small operations with limited employment and short operating lives. No significant pool of unemployed coal miners exists in the surrounding communities and the Cranberry mines would therefore offer few employment opportunities to existing local residents.

H.R. 5161 resolves the longstanding controversy surrounding the Cranberry Backcountry by designating it a wilderness area and providing for an even exchange of the underlying private mineral estate for Federal coal located elsewhere. This exchange would be based on fair market value and completed within 3 years of enactment with binding arbitration invoked if necessary to consummate such an exchange.

At a Clarksburg, W. Va., press conference this past June, Secretary of the Interior James Watt stated his belief that the Cranberry mineral exchange was a workable compromise and could be accomplished with reasonable administrative effort and expense.

The creation of the Cranberry wilderness area will simply maintain the status quo of the past 50 years in regard to hunting, trout fishing, hiking, camping, and the other uses enjoyed during the last half century. The only difference between the existing administrative back-country status and congressional wilderness designation with regard to Cranberry's management would be the eventual elimination of two trail shelters.

The vast majority of interested West Virginians desire a Cranberry wilderness area so they may continue to admire and enjoy the area just as they have for the past half century. Only wilderness designation by the Congress will resolve the controversy surrounding the back country and I request this committee act favorably on H.R. 5161.

That completes my statement and at the appropriate time I would be pleased to answer any questions you may have.

[The prepared statement of Mr. George follows:]

STATEMENT OF LARRY W. GEORGE, CHAIRMAN, WILDERNESS COMMITTEE, THE WEST VIRGINIA HIGHLANDS CONSERVANCY, HUNTINGTON, W. VA.

Mr. Chairman and members of the subcommittee, my name is Larry W. George and I am an Attorney and a lifelong resident of Huntington, West Virginia. I wish to speak in favor of H.R. 5161 on behalf of the West Virginia Highlands Conservancy of which I serve as Wilderness Committee Chairman. The Conservancy is an 800-member conservation group created in 1964 and has led the effort to designate wilderness areas on the National Forest lands of our state.

The Conservancy Board of Directors fully supports H.R. 5161 as sponsored by Representative Cleve Benedict and later amended by the House of Representatives Committee on Interior and Insular Affairs. This bill provides for the inclusion of three U.S. Forest Service RARE II study areas in West Virginia into the National Wilderness Preservation System. All three areas have been recommended for wilderness designation by the U.S. Department of Agriculture and include the proposed 35,550-acre Cranberry Wilderness, Laurel Fork North and Laurel Fork South, each with 6,100 acres.

All three areas were rated among the highest qualifed of the 700 RARE II wilderness study areas in the eastern United States. The Cranberry Wilderness was ranked by the U.S. Forest Service as among the top ten such study areas. These three proposed wilderness areas encompass the finest of West Virginia's natural areas and include the most pristine and unique wild lands remaining in the Appalachian Mountains.

H.R. 5161 would add approximately 47,800 acres of protected wilderness to our state's two existing wilderness areas, Dolly Sods and Otter Creek, which together encompass 30,250 acres. This bill would increase West Virginia's total wilderness acreage to approximately 78,050 acres, representing only 8.0 percent of our state's National Forest lands of over 967,000 acres.

By far, the crowning jewel of this legislation is wilderness designation for the Cranberry Backcountry in Pocahontas County, West Virginia. The Cranberry Backcountry is a 53,000-acre tract, most of it included in the proposed Cranberry Wilderness, and was established by the Forest Service in the 1930's. The Backcountry has been closed to motorized access since 1936, resulting in the preservation of its wilderness character in what is now West Virginia's largest roadless area. The Williams and Cranberry Rivers located in the Cranberry area hold national reputations as trout streams and the Backcountry draws hunters, fishermen and hikers from throughout the eastern United States.

Four generations of West Virginians have admired and enjoyed the Cranberry Backcountry as a recreational resource in its present state of de facto wilderness. West Virginians are taught in their public schools that the Cranberry Backcountry is one of the state's greatest natural resources and that it is part of West Virginia's heritage.

In 1976, Cranberry was threatened with coal mining and other commercial development by the owner of the private mineral estate underlying the proposed wilderness. The public reaction against the Cranberry Mines was immediate and adamant and public support grew quickly for the coinciding Forest Service Cranberry Wilderness Study.

Today, the Cranberry Wilderness proposal holds overwhelming statewide support and has received the endorsements of Governor John D. Rockefeller, the state's largest newspapers, including the Charleston Gazette, Charleston Daily Mail and the Huntington Herald-Dispatch, and a wide range of citizen and conservation groups. In 1978, the West Virginia Legislature enacted a temporary moratorium on coal mining within the Cranberry Wilderness Study Area to allow the Congress the opportunity to grant wilderness status. This bill passed the Legislature by the greatest margin of any state environmental legislation in the past decade: 27 to 7 in the Senate, 87 to 10 in the House of Delegates. This moratorium expired in 1981.

Among local residents, support for a Cranberry Wilderness appears to equal or exceed that for non-wilderness and/or coal mining. In Pocahotas County, which contains 90 percent of the proposed wilderness, the only local paper, The Pocahontas Times, has endorsed the wilderness proposal. Local hearings held by the Forest Service during 1978 also found the majority of residents favoring wilderness status.

There has been little timbering pressure on the Cranberry area in recent years, due to both the abundance of more accessible private and federal timberlands and the local economy's primary dependence on coal mining. Two Forest Service timber sales offered in 1980 within a few miles of the Cranberry Wilderness failed to receive any bids at all and were finally withdrawn unsold.

The greatest threat to the Cranberry Wilderness lies in the 32,500 acres of privately owned coal underlying the area. The mining of this coal would prohibit wilderness designation and degrade the Cranberry with coal tipples, slag piles, power lines and haul roads. The 18.5 million tons of estimated recoverable coal are insignificant when compared to the 39 Billion tons of coal reserves in West Virginia alone and would have a negligible impact on the nation's supply of metallurgical coal. Further, these deposits are thin and fractured, making them difficult to mine under any circumstances and limiting the two proposed mines to relatively small operations with limited employment and short operating lives. No significant pool of unemployed coal miners exists in the surrounding communities and the Cranberry Mines would therefore offer few employment opportunities to local residents.

H.R. 5161 resolves the controversy surrounding the Cranberry Backcountry by designating it a wilderness area and providing for an even exchange of the underlying private mineral estate for federal coal located elsewhere. This exchange would be based on fair market value and completed within three years of enactment, with binding arbitration invoked if necessary to consummate such an exchange.

At a Clarksburg, West Virginia press conference this past June, Secretary of the Interior James Watt stated his belief that the Cranberry mineral exchange was a workable compromise and could be accomplished with reasonable administrative effort and expense.

The creation of the Cranberry Wilderness Area will simply maintain the status quo of the past 50 years in regard to hunting, trout fishing, hiking, camping and other uses enjoyed to the present time. The only difference between the existing administrative "Backcountry" status and Congressional wilderness designation, with regard to Cranberry's management, would be the eventual elimination of two trail shelters.

The vast majority of interested West Virginians desire a Cranberry Wilderness Area so they may continue to admire and enjoy the area just as they have for the past half century. Only wilderness designation by the Congress will resolve the controversy surrounding the Cranberry Backcountry and I request this Committee act favorably on H.R. 5161.

Thank you.

Senator WALLOP. Thank you, Mr. George.

Ms. Elkinton.

STATEMENT OF LINDA COOPER ELKINTON, WEST VIRGINIA OFFICE OF THE NATIONAL AUDUBON SOCIETY, MORGANTOWN, W. VA.

Ms. ELKINTON. Thank you, Senator. My name is Linda Cooper Elkinton. I represent the West Virginia Office of the National Audubon Society and speak on behalf of the society's 2,000 West Virginia members who deeply value wilderness and the wilderness experience.

Because they could not otherwise be represented today, I have also been asked to speak on behalf of the West Virginia Wildlife Federation and their 10,000 affiliated West Virginia members.

Audubon and the West Virginia Wildlife Federation strongly endorse this legislation and urges its speedy passage for the following reasons:

No. 1, Cranberry and Laurel Fork, North and South, have been managed essentially as de facto wilderness areas for many, many years. They are very high quality natural areas that are well qualified for wilderness designation as defined by law.

No. 2, Audubon is committed to environmental protection consistent with wise economic growth and development. Because of the present and ever-increasing demand for the wilderness experience, these wilderness areas have the potential of being sources of constant revenue for the areas in which they are located.

Through designation of Cranberry and Laurel Fork as wilderness, neither our State nor our country will be deprived of resources important to its economic viability. The potential jobs that would have been possible with the recovery of these resources would be short term and the overall economic benefits they would provide will be offset by the tourist-related opportunities that will result from wilderness designation.

An example of this elsewhere in West Virginia is in Tucker County, the location of the State's presently existing 30,000 acres of wilderness. There, economic development related to tourism has in the last 10 years increased employment by 75 percent, wages by 104 percent, and overall sales by more than 110 percent. Total tourist dollars generated within the Potomac Highlands has nearly doubled since the creation of the Dolly Sods and Otter Creek Wildernesses in 1975.

Also wilderness recreation opportunity, unlike the coal and other mineral reserves of the areas, are unique and scarce. Again, unlike wilderness opportunities, these resources are not in particular demand. Demand for wilderness, on the other hand, is expected to at least double in the next 20 years alone.

No. 3, for West Virginians as well as many Americans, the price of a break from the normal, hectic routine of life that we seek to escape in a vacation, is an ever-increasing concern. In wilderness areas, the accommodations are free and the experience priceless, incomparable, and varied. The addition of these areas to the wilderness system will expand such opportunities for innumerable Americans.

No. 4, as others have testified, wilderness designation for these areas enjoys widespread support in our State and this has been the case for many years while countless people have volunteered endless hours and talents free of compensation to this effort.

No. 5, as is the case with so many of my fellow West Virginians, it will probably never be possible for me to see a forest like the one my ancestors passed through before settling on the high mountain valley where we still live today. However, if these areas are protected as wilderness, our grandchildren will know what their ancestors knew 200 years ago.

This alone is reason enough for preserving Cranberry and Laurel Fork in their natural state.

But, No. 6, and lastly, this wilderness has even further value that cannot be discounted. A. B. Brooks, I think, described it well in 1911 when he noted that our forest lands themselves are something more than business propositions for those who implore their destruction for economic gain.

The beauty and grandeur of primitive forest scenery exerts a powerful influence over its visitors. An influence that leaves one less superficial, more thoughtful, and revives in one a spirit of freedom and independence, values all Americans treasure.

In West Virginia, as well as across America, we have many forested acres that are capable of and valuable for many uses. The few acres we refer to here today lend themselves best to protection as wilderness. Please act swiftly and finally on this proposed legislation.

[The prepared statement of Ms. Elkinton follows:]

STATEMENT OF LINDA COOPER ELKINTON, WEST VIRGINIA OFFICE OF THE NATIONAL AUDUBON SOCIETY, MORGANTOWN, W. VA.

Honorable Senators: My name is Linda Cooper Elkinton. I prepresent the West Virginia office of the National Audubon Society and speak on behalf of the society's 2,000 West Virginia audubon members who deeply value wilderness and the wilderness experience. I am also a fourth generation native of West Virginia.

Audubon strongly endorses this legislation and urges its speedy passage for the following reasons:

1. Cranberry and Laurel Fork, North and South, have been managed essentially as de facto wilderness areas for many, many years. They are very high quality natural areas that are well-qualified for wilderness designation as defined by law.

2. Audubon is committed to environmental protection consistent with wise economic growth and development. Because of the present and ever-incresing demand for the wilderness experience, these wilderness areas have the potential of being sources of constant revenue for the areas in which they are located. Tourism is West Virginia's third largest industry and these areas are located within commuting distance of some of the country's largest population centers.

Through designation of Cranberry and Laurel Fork as wilderness, neither our State nor our country will be deprived of resources important to its economic viability. The timber and mineral resources of the areas are well known and, particularily in the case of Cranberry, the potential jobs that would have been possible with the recovery of these resources would be short-term and the overall economic benefits they would provide will be off-set by the tourist-related opportunities that will result from wilderness designation. (And at a lot lower social costs, I might add.)

An example of this elsewhere in West Virginia is in Tucker County, the location of the State's presently existing 30,000 acres of wilderness. There, economic develpment related to tourism has, in the last ten years, increased employment by 75 percent; wages by 104 percent and overall sales by more than 110 percent. Total tourist dollars generated within the Potomac Highlands has nearly doubled since the creation of the Dolly Sods and Otter Creek wildernesses in 1975.

Also, wilderness recreation opportunity, unlike the coal and other mineral reserves of the areas, are unique and scare. For example, the 37.7 million tons of medium- and high-volatile premium-grade coking coal known to exist in the Cranberry area represents about 0.2 percent of the premium coking coal and about 0.02 percent of U.S. coking coal of all ranks and grades.

And again, unlike wilderness opportunities, these resources are not in particular demand now for coking, electrical generation or export nor are they expected to be in the foreseeable future. Demand for wilderness, on the other hand, is expected to at least double in the next 20 years alone.

3. For West Virginians as well as many Americans, the price of a break from the normal, hectic routine of life that we seek to escape in a vacation, is an ever-increasing concern. In wilderness areas the accommodations are free and the experience priceless, incomparable and varied. The addition of these areas to the wilderness system will expand such opportunities for unnumerable Americans.

4. As others have/will testify, wilderness designation for these areas enjoys widespread support in our State and this has been the case for many years while countless people have volunteered endless hours and talents free of compensation to this effort.

5. As is the case so many of my fellow West Virginians, it will probably never be possible for me to see a forest like the one my ancestors passed through before settling on the high mountain valley where some still live today. However, if these areas are protected now as wilderness, our grandchildren will know what their ancestors knew 200 years ago. This alone is reason enough for preserving Cranberry and Laurel Fork in their natural state. But,

6. And lastly, this wilderness has even further value that cannot be discounted. A. B. Brooks, I think, described it well in 1911 when he noted that our forest lands themselves are something more than "business propositions" for those who implore their destruction for economic gain. The beauty and grandeur of primitive forest scenery exerts a powerful influence over its visitors, an influence that leaves one less superficial, more thoughtful and revives in one a spirit of freedom and independence, values all Americans treasure.

In West Virginia, as well as across America, we have many forested acres that are capable of and valuable for many uses. The few acres we refer to here today lend themselves best to protection as wilderness. Please act swiftly and finally on this proposed legislation.

Thank you.

Senator WALLOP. Thank you, Ms. Elkinton.

Mr. Coppelman.

STATEMENT OF PETER D. COPPELMAN, COUNSEL AND FOREST ISSUES SPECIALIST, THE WILDERNESS SOCIETY, WASHINGTON, D.C.

Mr. **Coppelman**. Thank you, Mr. Chairman. I am Peter Coppelman, forest issues specialist and counsel for the Wilderness Society. And I will summarize my statement.

The Wilderness Society strongly supports H.R. 5161, a bill which would add three worthy RARE II areas in West Virginia to the National Wilderness Preservation System.

The Wilderness Society has taken a particularly active interest in the development of this legislation. We helped negotiate elements of the bill and our economic policy department has written a study of the tradeoff between wilderness values and mineral development in the proposed Cranberry Wilderness Area.

As a spokesman for a national conservation organization, I would like to make a couple of observations on how the West Virginia bill fits into the national picture and the other bills that are before the committee. As the committee knows, neither environmentalists nor the timber industry representatives were fully satisfied with the RARE II study. But it has provided a foundation for a compromise solution in Congress on a State-by-State basis.

The compromise has three basic elements. First, some of the lands in RARE II studies are actually designated as wilderness.

Second, the RARE II study is insulated from judicial challenge within that State. That is the so-called sufficiency language. Third, those areas recommended for nonwilderness are exempted from further wilderness consideration under the present generation of forest plans in the forest planning process under the National Forest Management Act.

This State-by-State approach has a good track record. In 1980, Congress passed several bills based on the RARE II compromise covering lands in Colorado, New Mexico, Alaska, and several Eastern States. In addition the House passed bills in the 96th Congress for Florida, West Virginia, and California.

This Congress, the House of Representatives has already passed RARE II bills for West Virginia, California, Florida, and Alabama. And Congress has before it bills for a number of other States. We are glad that the committee is holding the hearings on this bill and that it has held hearings on other bills and we hope that the subcommittee will proceed to mark up this bill as well as the other bills on which hearings have been held. Because time is beginning to run out on this Congress.

Senator **Wallop**. Mr. Coppelman, you have been around enough to know that the subcommittee does not mark up bills.

Mr. **Coppelman**. We hope the committee will proceed to mark up, yes.

The West Virginia bill incorporates all the elements of the RARE II State-by-State solution that I have outlined. In West Virginia, the RARE II study recommended four areas for wilderness designation, the Cranberry, the Laurel Fork North, the Laurel Fork South, and Seneca Creek.

One area was designated for further planning. The bill that is before the committee represents a good faith compromise by all of the parties concerned. For environmentalists and conservationists, the failure of the bill to designate the Seneca Creek area of the wilderness recommended area and the Pine RARE II area of 21,800 acres is the most difficult pill to swallow.

We have nonetheless agreed to support the legislation for two reasons. First, the bill does designate three out of the four wilderness recommended areas, including the Cranberry, which will be one of the primaries in the East, one of the very largest wilderness areas in the East. And, second, the bill does incorporate the release provisions negotiated among all parties during 1980 and used by this Congress, the whole Congress, and the House in this legislative session.

Of course, there is a key issue coal mining versus wilderness in the Cranberry. Because of the privately owned coal of coking quality which is owned by CSX Corp., it is necessary for Congress to compare the value to society of the Cranberry wilderness, particularly for recreational purposes, to the value of the Cranberry if left available for development, including mining.

At this point, Mr. Chairman, I would like to ask that this study that I have referred to, which compares the value of Cranberry for wilderness and coal either at your pleasure that it be introduced in the record or included in the committee files. I know you don't like to clutter up your record.

Senator WALLOP. We will put it in the committee files and refer to it in the record.

Mr. COPPELMAN. Thank you. I will not go into the study except to list some conclusions and that will conclude my testimony. The major findings of the study are, that the Cranberry, the 36,000 acres of forest, mountains, and clear streams is the largest wilderness area within a radius of 300 areas. In fact 20 percent of the population of the United States lives within a 300-mile radius.

In 1980, the Cranberry received over 30,000 visitor days of use, because of its proximity to major population centers and of wilderness qualities. With the demand for outdoor recreation expected to continue growing in the coming years, the Cranberry can and has been and can continue to be a unique supplier of wilderness recreation opportunities in the Eastern United States.

The coal deposit is estimated to be 37.7 million tons of medium and high volatile premium coking coal of which approximately 18 million tons are recoverable. This is only 22 percent of the high quality, economically mineable coking coal supplies in the United States or .02 percent of U.S. coking coals of all grades and qualities.

At current utilization rate, this is about a 3-month supply from a domestic reserve expected to last 80 years. Because demand for coking coal is not expected to increase rapidly in the near future, because alternative coal deposits are ample and because the Cranberry deposit is relatively very small, there is no urgent need to develop this deposit.

Therefore, in our view the Cranberry's wilderness recreation opportunities characterized by few substitutes and a rapidly growing demand will provide greater benefit to society than will development of its coal deposits.

Thank you.

[The prepared statement of Mr. Coppelman follows:]

THE WILDERNESS SOCIETY

FOUNDED IN 1935

STATEMENT OF PETER D. COPPELMAN, REPRESENTING THE WILDERNESS SOCIETY BEFORE THE PUBLIC LAND AND RESERVED WATER SUBCOMMITTEE OF THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE ON H.R. 5161, AUGUST 11, 1982.

Mr. Chairman, I am Peter D. Coppelman, Forest Issues Specialist of The Wilderness Society.

The Wilderness Society is a non-profit conservation organization, founded in 1935, dedicated to the proper management of public lands and the preservation of wilderness areas.

We were very pleased to see the House of Representatives pass H.R. 5161. We are equally pleased to have the opportunity to address this Committee on the important issue of wilderness.

The Wilderness Society strongly supports H.R. 5161, a bill which would add three worthy RARE II areas in West Virginia to the National Wilderness Preservation System.

The Wilderness Society has taken a particularly active interest in this legislation. The Conservation Department of TWS has helped negotiate the elements of the bill, and TWS' Economic Policy Department undertook study of the trade-off between wilderness values and mineral development in the proposed Cranberry wilderness area.

1901 PENNSYLVANIA AVENUE, N.W., WASHINGTON, D.C. 20006

(202) 828-6600

The West Virginia Bill in a National Context

First, some observations on how the West Virginia bill fits into the national picture.

As this Committee well knows, neither environmentalists nor timber industry representatives were fully satisfied with the Forest Service's RARE II study. However, the RARE II study has provided the foundation for a compromise solution in Congress on a state-by-state basis. This compromise solution has certain key elements. First, some or all of the lands recommended for wilderness designation within a state are, in fact, designated by Congress as wilderness areas and added to the National Wilderness Preservation System. Second, the RARE II environmental statement is insulated from judicial challenge for lands within that state. This is the so-called "sufficiency" language. Third, those areas recommended for nonwilderness are exempted from further wilderness consideration under the first generation of forest plans in the forest planning process of the National Forest Management Act, and need not be managed to maintain their wilderness suitability. This is the so-called "release" provision.

This state-by-state approach has a good track record. In 1980, Congress passed several bills based on the RARE II compromise covering lands in Central Idaho, Colorado, New Mexico, Alaska, and several Eastern states. */ In addition, in the 96th Congress, the House passed statewide bills for Florida,

---

*/ The Eastern states were Louisiana, Missouri, and South Carolina. The "sufficiency" language applied to statewide bills only.

West Virginia and California. This Congress, the House of Representatives has already passed RARE II bills for West Virginia, California, Florida, and Alabama. Furthermore, Congress has before it bills for Indiana, Missouri, Pennsylvania, Michigan, Montana, Wyoming, Washington, and Oregon. In 1980 alone, between one-third and one-half of the total 62 million acres studied in RARE II were resolved. This approach protects the traditional committee prerogatives of area-by-area review.

In West Virginia, the RARE II study recommended 4 areas for wilderness designation: Cranberry, Laurel Fork North, Laurel Fork South, and Seneca Creek. One area, Cheat Mountain, was designated further planning. In January, 1982, Assistant Secretary of Agriculture John Crowell testified, on behalf of the Administration, before the House Interior Committee on H.R. 5161. The Administration strongly opposed designation of all the areas in the legislation. The Administration's position is an affront to the professional judgment of the Forest Service, whose recommendation the previous administration endorsed. Furthermore, their opposition is in direct conflict with the will of the public, whose support for wilderness designation in West Virginia was recognized by the House of Representatives in its passage of H.R. 5161

The West Virginia Bill

The West Virginia bill incorporates all the elements of the RARE II state-by-state solution outlined earlier. It represents a good faith compromise by all concerned -- except, of course, the Administration. For environmentalists, the bill's failure to designate Seneca Creek, a prime RARE II wilderness recommended area of 21,800 acres, is a most difficult pill to swallow. We have nonetheless agreed to support the bill for 2 reasons: first, the bill does designate three out of four wilderness recommended areas, including the Cranberry, a crown jewel of eastern wilderness (see discussion, infra.); second, the bill will incorporate the release provisions negotiated among all parties during 1980, and enacted in the Colorado, New Mexico, and Alaska bills of the last Congress, and in the California, West Virginia, and Alabama bills passed by the House in this Congress. Our continued support of this legislation is premised on these agreements holding throughout the legislative process.

A Key Issue: Coal Mining versus Wilderness in the Cranberry

Beneath the proposed Cranberry wilderness lies a deposit of coking-quality coal owned by CSX Corporation. The bill provides for trading this coal for federally-owned coal of equal value east of the 100th meridian.

It is necessary to compare the value to society of the Cranberry as a wilderness -- particularly for recreational uses -- to the value of the Cranberry if left available for development, including mining. The Cranberry as a wilderness recreation area, unlike the coal deposit, is unique, scarce, and in growing demand. Thus, there would be a substantial economic1/ loss of wilderness recreation values if the Cranberry is not designated wilderness, while designation would not lead to any significant decrease in reserves of premium coking coal. Indeed, because there is no need to develop this particular coal deposit, the only "cost" to society of designation would be the transaction costs involved in exchanging the Cranberry's coal rights for mineral rights elsewhere.

The Cranberry as Wilderness

In the eastern half of the U.S., only one national forest wilderness area is larger than the Cranberry -- the Boundary Waters Canoe Area in Minnesota -- and only one is of comparable size, the Cohutta in Georgia and Tennessee. Only four roadless areas identified in RARE II are larger than the Cranberry -- three in New Hampshire, one in Georgia. Thus, the Cranberry is unique for its size alone.

In addition, the Cranberry has long been recognized as a unique, biologically diverse, undeveloped national forest area. In fact, the Eastern Wilderness Act of 1975 singled out the Cranberry for special study. The area, which has been closed to general motorized use since its designation as part of the Cranberry Backcountry in 1936, is bordered on 2 sides by the Williams and Cranberry Rivers and is dissected by their chief tributaries (the Middle Fork of the Williams and the North Fork of the Cranberry). This part of the Allegheny Plateau consists of massive mountains divided by steep, narrow drainages. The mountains are carpeted with a dense forest of mixed hardwoods, red spruce, and hemlock.

The Cranberry provides a home at various times throughout the year for nearly 50 species of birds, including eastern North America's smallest owl, the six-inch saw-whet owl. This owl, which commonly nests much further north, is found in the high mountain forests of the Cranberry wilderness because of its unique spruce-hemlock type of vegetation. This type of ecosystem, which was quite common in West Virginia and in the Southern Appalachians during the Ice Age, is found today only in the Cranberry and on some of our highest peaks. The vegetation and wildlife which thrive in the Cranberry are exemplary of a much more northern clime, so that the area provides an excellent laboratory for scientific study.

Public support for designation of the area as wilderness is widespread. In 1978, when it appeared that the area might be mined for privately-owned coal beneath the potential wilderness area, the West Virginia legislature imposed a temporary moratorium on mining to give Congress the opportunity to act to preserve the area in its pristine state.

Along with its great natural beauty, the Cranberry provides excellent opportunities for primitive recreation, the popularity of which has been increasing steadily and is expected to double by the year 2000. For those who desire a wilderness experience, but of a less rugged variety, the Highland Scenic Highway forms the eastern boundary of the proposed wilderness, thus providing easy access to the area.

In 1980, there were 30,400 "recreation visitor-days" (12 hours of use by one or more persons) in the Cranberry.[2/] Roughly half of the use consisted of hiking, one-third more was due to camping, and the rest was mostly hunting and fishing. Nationally, the Forest Service projects at least a 2 percent per year increase in the use of wilderness areas in coming years.[3/] The Cranberry can be an important source of wilderness opportunities into the future.

If the Cranberry is not designated wilderness, then it will be available for mining and discretionary Forest Service management. Mining activities may lead to operation of a half-dozen mine openings of up to 10 acres each at any given time, plus development of two trails into roads; both the roads and mine openings would run through the middle of the Cranberry.[4/] The choice for management of the surface resource by the Forest Service depends purely on agency priorities, but it will likely lead to relatively increased management -- perhaps some timber harvesting and wildlife habitat manipulation. These activities may not permanently alter the Cranberry, but they will definitely change its character during the period that they occur.

If this course is taken for the Cranberry, the amount and types of recreational use will change. Hiking and camping use will probably decrease, because a) people will not come from as far to visit the area because it will no longer be as unique, and b) the desirability of taking a several-days trip in the area will decrease because of greater human intrusion. Hunting and fishing use might increase because of the possibility of wildlife habitat manipulation. Still, because hiking and camping are the dominant uses of the area, overall use levels will probably drop. Additionally, these kinds of uses are not predicted to increase as rapidly as wilderness use in coming years: dispersed camping is projected to increase at about 1.4 percent per year, while hiking and hunting will each increase at less than 1 percent per year.[5/] In sum, the Cranberry is more valuable for recreational purposes, and will provide other important values, if it remains a wilderness.

Coal Resources and the Cranberry

According to a 1979 U.S. Bureau of Mines study,[6/] there is in the U.S. an estimated demonstrated reserve base (DRB) of 162.7 billion tons of coking coal of all ranks and grades. The DRB represents the amount of coking coal that is presently both economically and legally minable in seams at least 28 inches thick and less than 1,000 feet deep. Of this, 19 billion tons are premium (metallurgical grade). Of the 19 billion tons, 4.6 billion are medium- and low-volatile coals which are most necessary for selective blending with high-volatile coal to produce metallurgical coke. Based on recent consumption rates, if only premium coals went to coke plants, and if coking coal is used for no other purposes, the premium high-volatile DRB would last for 127 years, the medium-volatile for 80 years, and the low-volatile for 83 years. Thus, present coking coal supplies are ample for coming years. In addition, technological advances in coal production and coke making should extend the life of the DRB of premium-grade coking coals further, by making currently marginal coal deposits economical.

The U.S. Geological Survey[7/] has estimated that the Cranberry contains a demonstrated reserve base of about 37.7 million tons of medium- and high-volatile premium-grade coking coal. This is about 0.2 percent of premium coking coals and about 0.02 percent of U.S. coking coals of all ranks and grades. It thus represents a negligible part of the current reserve base for coking coal. Its development or non-development will not measurably affect the price or supply of coking coal.

Demand for premium metallurgical coal is not likely to increase substantially in the next 20 years. Currently, the U.S. steel industry is weak, in part reflecting the slowdown in the U.S. economy. Coking coal may also be used for electricity generation, but demand is not expected to increase substantially. Export demand is moderate. Export demand may be further dampened in the coming years by the availability of cheaper coking coal from elsewhere in the world, and by improvements in the steel making process which reduce the need for coking coal generally. Thus, as supplies of coking coal are ample, and demand is moderate, the losses to the nation from not mining the Cranberry coal deposit would be negligible. Exchanging the Cranberry coal deposit for other mineral deposits and designating the Cranberry as wilderness will better serve the public interest than leaving the area available for development.

Conclusion

In addition to the Cranberry, H.R. 5161 also designates as wilderness the Laurel Fork North and Laurel Fork South study areas. These areas are small -- about 6,100 acres each -- but they, too, possess outstanding wilderness qualities. Laurel Fork flows through the center of the wilderness areas. It is a picturesque stream which has a number of beaver ponds and is stocked with trout.

Cheat Mountain, which contains coal, and Seneca Creek, which has inholder conflicts, are released. In RARE II Cheat Mountain was recommended for further study, and Seneca Creek was proposed as wilderness. Nonetheless, these areas are released to resolve the RARE II question in West Virginia, and strike a balance between energy development and conservation.

In summary, H.R.5161 represents the kind of compromise that could be used to resolve RARE II throughout the country.

Footnotes

1. John V. Krutilla and Anthony C. Fisher, *The Economics of Natural Environments* (Baltimore, Maryland, Johns Hopkins University Press for Resources for the Future, 1975).

2. Gil Churchill, Information Officer, Monongahela National Forest; personal communication with Gloria Helfand, TWS, December 2, 1981.

3. USDA-Forest Service, *An Assessment of the Forest and Range Land Situation in the United States* (Washington, D.C., U.S. Department of Agriculture, 1980), p.156.

4. West Virginia Geological Survey; personal communication with Gloria Helfand, TWS, November 1981; U.S. Geological Survey, Eastern Region; material and maps supplied November 10, 1981.

5. USDA-Forest Service, *Assessment*, *op*. *cit*., pp. 100,179.

6. William S. Sanner and David C. Benson, *Demonstrated Reserve Base of U.S. Coals with Potential for Use in the Manufacture of Metallurgical Coal*, Bureau of Mines Information Circular No. 8805 (Washington, D.C., U.S. Department of the Interior, 1979).

7. Charles R. Meissner, Jr., *et*. *al*., *Mineral Resources of the Cranberry Wilderness Study Area, Webster and Pocahontas Counties, West Virginia*, Geological Survey Bulletin 1494 (Washington, D.C., U.S. Government Printing Office, 1981).

Senator WALLOP. Thank you, Mr. Coppelman.

Mr. Lawrence Deitz.

STATEMENT OF LAWRENCE DEITZ, CHAIRMAN, FOREST PRACTICES AND ENVIRONMENTAL COMMITTEE, RICHWOOD CHAMBER OF COMMERCE, RICHWOOD, W. VA.

Mr. LAWRENCE DEITZ. Mr. Chairman, my name is Lawrence Deitz. I am from Richwood, W. Va. I am the chairman of the Forest Practices and Environmental Committee of the Richwood Chamber of Commerce.

As to my personal background, I have served for 17 years as a commissioner of the West Virginia Department of Natural Resources and 12 years as a citizen member of a legislative committee which makes recommendations to the legislature on questions of forest management. My personal interests center around the wise use of our forests and the recognition that forests, although valuable for producing timber, have much more to offer.

I will be speaking against wilderness. I speak in opposition to wilderness being established for 35,000 acres within the boundaries of the Cranberry River back country. The Cranberry River back country is a special designation which since 1937 has applied to 53,000 acres of public land. It lies behind locked gates. The management techniques have been directed primarily to the enhancement of wildlife, plantlife, and the attributes of the area. It worked successfully for many years and received the full support of the people of adjoining counties.

It was those very management techniques that brought it into what it is today. I suppose this hearing today should make history. I am assuming that this is the first time that the chamber of commerce has appeared at a congressional hearing expressing concern for the ecology, plantlife, wildlife, and expressing environmental concerns with the opposition representing the opposite view.

However, the Richwood Chamber of Commerce is not an ordinary chamber. They fully realize the value of the national forests. In fact, several years ago when forest planning emphasis was on the production of lumber the chamber forcefully took the position that there were many additional values to be considered.

If this body is to fully understand and assess the situation, they can only do so by fully grasping the thought expressed in the statement that follows.

This unique and choice area does not attract people because of outstanding overlooks or the presence of large old growth trees, for this is a relatively immature forest. Its attractiveness centers around the presence of the greatest variety of hardwood species of any temperate zone of the world and the diversity of plantlife with a multitude of species on the forest floor. Some have estimated that in the general area there may be as many as 1,800 species.

Based upon interviews with many botanists, wildlife biologists, foresters, and other professionals whose views coincide and are consistent, we outline our concerns in positive statements.

Definitely the majority of tree and plant species cannot thrive in the full shade of wilderness conditions. Some have estimated that 90 percent may be adversely affected. Definitely some of the more valuable species such as the black cherry, the white ash, and the oaks cannot sprout and thrive in such shaded conditions.

Definitely most of the valuable species that furnish food for wildlife cannot thrive and may cease to exist. Definitely most species of wildlife will be adversely affected for lack of food, for lack of browse for deer, and lack of turkey brood range.

Definitely under wilderness designation, the forest will revert to a climax forest consisting principally of red spruce, hemlock, yellow birch, maple, and beech. Only one species of the group, beech, furnishes any appreciable amounts of food for wildlife. Only one species, maple, is valuable for producing lumber.

Eventually red spruce will take over most of the higher elevations. It grows to be approximately 10 inches in diameter in 100 years. It usually kills out all plantlife underneath except for moss and ferns. Definitely this is not the best use of this forested area.

I can summarize my previous remarks in two statements. Wilderness destroys diversity, and, two, the diversity of tree species, plantlife and wildlife is what the back country is all about. The 1976 Forest Management Act recognized the value of diversity.

In addition, the prohibition of timber harvest under wilderness status places excessive pressure on adjoining harvestable areas. This would be near recreation areas, Route 39, now a part of the Scenic Highway, and near streams that are heavily fished.

On June 7, 1982, the Richwood Chamber of Commerce adopted a resolution calling on the Forest Service to withdraw its recommendation for wilderness and to formulate management plans consistent with the back country concept generally applicable over the past 50 years.

Mr. Chairman, I would like to digress for just a moment. You, I think, did speak of alternatives, in the paragraphs I just read is an alternative that is being offered. The response to this resolution by individuals and organizations have been gratifying. The resolution has been adopted by the Nicholas County Commission, the Marlinton Chamber of Commerce and a similar resolution was unanimously adopted by delegates to the State Izaak Walton League Convention and the Cherry River Chapter Izaak Walton League of America. We are receiving favorable comments from other bodies and organizations.

I wish to have these remarks entered into the record together with the resolution and also a copy of a Richwood Chamber of Commerce letter dated February 26 and addressed to our Representative in Congress. Attachment C outlines the values that can be enhanced by managing under the back country concept.

We beg that you thoroughly evaluate and consider the Richwood Chamber of Commerce proposal which has so much to offer for so many.

[The prepared statement of Mr. Lawrence Deitz follows:]

STATEMENT OF LAWRENCE DEITZ, AUGUST 11, 1982, BEFORE THE SENATE SUB COMMITTEE ON PUBLIC LANDS AND NATURAL RESOURCES. SUBJECT: WILDERNESS.

My name is Lawrence Deitz. I am from Richwood, W. Va. I am chairman of the forest practices and environmental committee for the Richwood Chamber of Commerce. I will be speaking against wilderness.

As to my personal back ground I have served for seventeen years as a Commissioner of the West Virginia Department of Natural Resources, and 12 years as a citizen member of a legislative committee which makes recommendations to the legislature on questions of forest management. My personal interests center around the wise use of our forests and the recognition that forests although valuable for producing timber have much more to offer.

I speak in opposition to wilderness being established for 35,000 acres within the boundaries of the CRANBERRY RIVER BACK COUNTRY. THE CRANBERRY RIVER BACK COUNTRY is a special designation which since 1937 has applied to 53,000 acres of public land. It lies behind locked gates. The management techniques have been directed primarily to the enhancement of wild life, plant life, and the attibutes of the area. It worked successfully for the many years and received the full support of the people of adjoining counties.

I suppose this hearing today should make history. I am assuming that this is the first time that a Chamber of Commerce has appeared at a congressional hearing expressing concern for the ecology, plant life, wild life, and expressing environmental concerns with the opposition representing the opposite view. However, the Richwood Chamber of Commerce is not an ordinary chamber. They fully realize the value of the National Forests. In fact several years ago when forest planning emphasis was on the production of lumber the chamber forcefully took the position that there were many additional values to be considered.

If this body is to fully understand and assess the situation they can only do so by fully grasping the thought expressed in the statement that follows

This unique and choice area does not attract people because of outstanding overlooks or the presence of large old growth trees for this a relatively immature forest. Its attractiveness centers around the presence of the greatest variety of hardwood species of any temperate zone of the world, and the diversity of plant life with a multitude of species on the forest floor. Some have estimated that in the general area there may be as many as 1800 species.

Based on interviews with many botanists, wildlife biologists, foresters and other professionals whose views coincide and are consistent, we outline our concerns in positive statements.

1. Definitely the majority of tree and plant species cannot thrive in the full shade of wilderness conditions. Some have estimated that some 90% may be adversely affected.
2. Definitely some of the more valuable species such as the black cherry, the white ash and the oaks cannot sprout and thrive in such shaded conditions.
3. Definitely most of the valuable species that furnish food for wildlife cannot thrive and may cease to exist..

4. Definitely most species of wildlife will be adversely affected for lack of food, for lack of browse for deer, and lack of turkey brood range.

5. Definitely under wilderness designation the forest will revert to a climax forest consisting principally of red spruce, hemlock, yellow birch, maple, and beech.

Only 1 species of the group (beech) furnishes any appreciable amounts of food for wildlife.

Only 1 species (maple) is valuable for producing lumber.

Eventually red spruce will take over most of the higher elevations. It grows to be approximately 10 inches in diameter in 100 years. It usually kills out all plant life underneath except for moss and ferns.

6. Definitely this is not the best use of this forested area.

I can summarize my previous remarks in two statements. 1. Wilderness destroys diversity 2. The diversity of tree species, plant life and wildlife is what the "Back Country" is all about. The 1976 Forest Management Act recognized this. In addition the prohibition of timber harvest under wilderness status places ~~[illegible]~~ excessive pressure on harvestable areas. This would be near recreation areas, Route 39 (now a part of the Scenic Highway) and near streams that are heavily fished.

On June 7, 1982, the Richwood Chamber of Commerce adopted a resolution calling on the Forest Service to withdraw its recommendation for Wilderness and to formulate management plans consistent with the "Back Country" concept generally applicable over the past fifty years. This resolution further urged Congress to adopt any such plan formulated.

The response by individuals and organizations have been gratifying. The resolution has been adopted by the Nicholas County Commission, The Marlinton Chamber of Commerce, and a similar reolution was unanimously adopted by delegates to the State Izaak Walton League Convention, and the Cherry River Chapter Izaak Walton League of America. We are receiving favorable comments from other bodies and organizations.

I wish to ~~see~~ have these remarks entered into the record together with the resolution, and also a copy of a Richwood Chamber of Commerce letter dated February 26, and addressed to our representatives in Congress. Attachment C outlines the values that can be enhanced by managing under the "Back Country" concept.

We beg that you thoroughly evaluate and consider the Richwood Chamber of Commerce proposal which has so much to offer for so many.

On June 7, 1982, the Richwood Chamber of Commerce, considering the present posture of the "Cranberry Back Country" problem, and after a full discussion of the same authorized the adoption of the following resolution:

RESOLUTION

Whereas, the Chamber of Commerce, the people of Richwood, and the people of surrounding counties as well have observed, understood and supported the "Back Country" concept as a management policy for more than fifty years, for a variety of commendable reasons, some of which are as follows:

1. This concept permitted the Forest Service adequate flexibility to successfully implement true multiple use of the area.
2. This concept permitted the development and application of techniques designed to enhance plant and animal life.
3. This concept permitted indeed encouraged, the creation of a diversity of habitat for wild life and plant life.
4. This concept permitted the management of timber stands in such a way as to accomplish the above objectives, and at the same time reduce the pressure of industry to harvest excessive timber in other choice areas, and,

Whereas, the action of the United States Congress in which the area was designated as a study area has frozen all development, as well as any and all plans for development of the area; and,

Whereas, legislation has now passed in the House of Representatives which designates the area as a Wilderness Area; and,

Whereas, the designation of the Cranberry Back Country as a Wilderness Area would be detrimental to the area itself; to industry, and to the people of the City of Richwood and surrounding counties for a variety of reasons, some of which are as follows:

1. Diversity of wild life would be threatened under strict wilderness management.
2. The prohibition of timber harvesting not only places excessive pressure on adjoining harvestable areas, but also will inevitably lead to the destruction of the wide variety of plant and animal life now apparent in the area.

3. The entire area will eventually be taken over entirely by a few predictable dominate species of trees, thereby destroying turkey brood ranges, browse for deer, and the currently existing diversity of plant and animal life.

4. The widerness area designation automatically imposes harsh and unduly restrictive rules and regulations which would do considerable damage to the ecological balances needed for a diversification of uses.

BE IT THEREFORE RESOLVED that the Richwood Chamber of Commerce urges that the following actions be promptly taken:

1. That the United States Forest Service withdraw its approval of Wilderness Status for the 35,000 acre Study Area located in the Cranberry Back Country.

2. That the said United States Forest Service formulate plans to develop the Cranberry Back Country consistent with the "Back Country" concept generally applicable over the past fifty years in that area, and urge the adoption of the plan by the Congress of the United States.

3. That such plans envision multiple use, encouragment of the development of plant and animal life; limited access, and moderate harvesting of timber and mineral extraction or drilling under strict regulations designed to guarantee an enviroment compatible with the concept of multiple use.

The foregoing Resolution was adopted by the Richwood Chamber of Commerce in a general meeting held on the 7th day of June, 1982.

H. H. Spencer, Jr.
President

ATTEST:

____
Secretary

February 26, 1982
Richwood, W. Va., 26261

Once again Congress is considering wilderness designation for the Cranberry Wilderness Study Area. In the past the Richwood Chamber of Commerce entered objections, and we understand that many people from Pocahontas and Webster Counties and representatives of coal miners entered objections.

Many of the objections related to adverse economic effects, loss of employment, loss of county revenue and the fact that the resources of the area such as high quality metallurgical coal and timber products could not be utilized.

The Richwood Chamber of Commerce considers all these reasons as valid. However, of even greater importance is the disastrous effects that the establishment of wilderness would have on plant and animal life and the ecology of the area including the deterioration of present day attributes and values that people cherish so much. Why should this area, which offers so much for so many, be converted into an area that offers so little for so few?

The area is noted throughout the east for its many tree species and other plant species on the forest floor. It is estimated that less than 10% can thrive in pure shade. The side effects resulting from the establishment of wilderness with no opportunites to manipulate vegetation are very extensive. The result is insufficient browse for deer, inadequate turkey brood range and nesting areas for birds. Small birds and animals would have no protection from storms or predation with the absence of brushy areas and other cover.

We have stated emphatically that we do not want wilderness. We state just as emphatically that we do not want the gates to the BACK COUNTRY opened up to unrestricted mining and timbering.

Not only do we have concerns but we have recommendations based on interviews with professionals and individuals who use and cherish the area. In order that you may gain an insight into this important question we are outlining our views in detail by attachments.

ATTACHMENT A outlines the many detrimental effects resulting from the establishment of wilderness. ATTACHMENT B outlines in some detail the adverse effect on plant and animal life and overall ecological effects.

ATTACHMENT C brings together various views and suggestions made by

RICHWOOD AREA CHAMBER OF COMMERCE
Telephone 304/846-6790 – Richwood, West Virginia 26261

Southern Gateway To The Highland Scenic Highway

Page 2
February 26, 1982

professionals and others as to how this area should be managed. Primarily it deals with coordinating as many uses as possible with a minimum of adverse environmental effects. The ultimate goal would be to enhance plant and animal life and the many attributes of the area, and beyond that to be used to demonstrate how management procedures affect plant and animals. In addition the area could be used for scientific investigations and by study groups interested in plant and animal life.

ATTACHMENT D touches briefly on the question of timber and coal.

We realize that this letter together with attachments is quite lengthy. However, it does represent much research and many interviews with botanists, biologists and other professionals.

It is our sincere belief that a careful review of this letter and attachments will reveal to Congress our concern and we are hoping that this would lead to the withdrawl of the area from further wilderness consideration. This would open the door and pave the way for the adoption of a plan to coordinate many uses and greatly enhance the many attributes of the original CRANBERRY BACK COUNTRY AREA as outlined under Attachment C.

We trust that you will weigh all aspects relating to the establishment of Wilderness versus the benefits to be derived from the views expressed in ATTACHMENT C.

Sincerely,

RICHWOOD CHAMBER OF COMMERCE

H. H. SPENCER, JR., PRESIDENT

HHS:abc

ATTACHMENTS

RICHWOOD AREA CHAMBER OF COMMERCE
Telephone 304/846-6790 — Richwood, West Virginia 26261

Southern Gateway To The Highland Scenic Highway

ATTACHMENT A

THIS OUTLINES THE MANY LOSSES AND ADVERSE EFFECTS THAT RESULT FROM THE ESTABLISHMENT OF WILDERNESS.

Regardless of whether we are considering the economic impact, the social impact or the environmental impact the establishment of wilderness for the designated area is of great concern and has disastrous consequences.

We are outlining many reasons as to why the establishment of wilderness is not appropriate for this area.

1. The adverse effect on plant and animal life and the ecology is so extensive we are covering the subject under a separate attachment identified as ATTACHMENT B.

2. The scenic highway was built at considerable cost. Perhaps more people drive this highway late in the evening to view the sunset and the ridges and valleys to the west than for any other reason. If timber removal is forbidden then this view will be cut off by timber growth and we will have a tunnel like effect.

3. The Cranberry River watershed outside the wilderness study area is more noted than the wilderness study area. If some 35,000 acres within the study area are withdrawn from timber production this would indicate that more intense harvest would be necessary within the Cranberry River watershed in order to supply industry with timber. A better distribution of harvest would prevent this from happening.

4. It is estimated that the annual timber growth for the study area is approximately 4,000,000 board feet. The loss of stumpage value to the federal government should be more than a quarter of a million dollars annually. The earnings of contractors in harvesting and transporting the logs to the mill should exceed one half million dollars annually. In one hundred years this represents more than 75 million dollars.

5. In 1975 the Forest Service estimated that there were some 99,000,000 tons of recoverable coal in the back country and its environs. Of the 99,000,000 tons it appears that the 18,000,000 in the study area is more concentrated and that a greater amount of coal could be mined with fewer miles of road and with less environmental damage than in many of the other areas.

6. There are pockets of coal within the Cranberry River watershed, but outside the Wilderness Study Area. We are more concerned as to how mining, roads and tipples would affect this area than we are the Wilderness Study Area.

7. A recent research release indicated that the supply of high quality metallurgical and coking coal may be exhausted within some 20 years. We question whether this quality coal should be withdrawn from the possibility of mining.

8. In Wilderness Bill H.R. 5161, Lines 17, 18, 19, and 20 page 6 reads as follows. "Fair market value of any interest shall be determined for the purposes of this Act on the assumption that all coal or other minerals to which such interests pertain are legally recoverable and removable." If we turn to Page 14 of Geological Survey Bulletin 1494 which is a study of the mineral resources of the Cranberry Wilderness Study Area we find the following statement. "Estimated coal resources are about 100 million metric tons." This includes all seams down to approximately 14 inches. This evidently means that the owner is to be reimbursed for 100,000,000 tons rather than 18,000,000 tons.

PAGE 2 OF
ATTACHMENT A

9. Not only is the owner to be paid for all coal and minerals within the boundary of the area but on page 4 of ths bill it states that the owner is to be paid for all coal of his ownership contiguous to the boundary. There is nothing to define how much area is involved. Is this an additional tonnage of a few million or another 100,000,000 tons?

We frequently hear one of three reasons given for establishing wilderness.

1. I want the Cranberry River Watershed protected from mining. The Bill does not protect the Cranberry River Watershed except a limited area at the very head of the river.

2. I like to see areas of old growth timber. This is valid. The Forest Service should leave small tracts here and there throughout the Monongahela to grow indefinitely. These should be near the highways.

3. We need some wilderness in the east. We do have some wilderness in the east. The question arises as to whether we should sacrifice coal, oil, gas, timber, and more especially whether we should sacrifice an area that attracts people because of the presence of flowering plants, many tree species and other attributes which rapidly disappear without the manipulation of vegetation. We suggest that other areas where values are not so great would meet the need for a wilderness experience.

ATTACHMENT B

THIS OUTLINES SPECIFICALLY HOW PLANT LIFE, WILDLIFE AND THE ECOLOGY WOULD BE ADVERSELY AFFECTED BY THE ESTABLISHMENT OF WILDERNESS.

The views expressed here are the result of interviews with botanists, biologists, foresters and other professionals, and the reviewing of plant and wildlife habitat requirements.

Originally the area in question was dominated by the few tree species that could live and thrive in the shade. These included the beech, maple, spruce, hemlock and a few others. Those that required sunlight to grow and thrive barely existed here and there or the seeds of the species lay dormant awaiting warmth from the sunlight in order to germinate.

With the harvesting of the timber during the early part of the century there burst forth many additional tree, plant and flowering spécies that had barely survied heretofore. The additional plants provided a diversity of food for birds and animals. The opening up of the forest created sunlit openings and diversity of habitat. This became a paradise for wildlife.

Some professionals have estimated that there may be more species of hardwood trees in this area than any area of the temperate zones of the world. This may also be true of plant life. It is estimated that some 1800 to 2000 species of plant life could thrive in the overall area if the proper conditions were present.

It was the great abundance of plant and wildlife species that attracted people to the area. The forest is growing back. Shaded conditions are beginning to prevail over most of the area. The shaded conditions will continue to increase without timber removal and manipulation of vegetation. It is estimated that less than 10% of the plant species can thrive in the shade.

During the last fifteen years whole communities of flowering plants have either disappeared or barely show. If this choice area is designated as wilderness more and more species of plant life will be pushed into the background or virtually disappear. There would be little if any browse for deer, little if any turkey brood range, no cover to protect birds and small animals from the storms and predation, few nesting areas for small birds, and little if any diversity of habitat so essential for wildlife. As some have pointed out the end result of establishing wilderness is the creating of a biological desert.

We feel that it is important that we enumerate some of the tree and plant species that cannot sprout and thrive in the shade but are important in providing food for wildlife. These include the black cherry, service tree, sassafras, white ash, greenbriers, dogwood, sumac, blackberries and many others.

The question is simple. Should we take the choicest area of our forest and virually create a biological desert, or should we adopt a mangement system that will enhance plant and animal life and bring out the many attributes? Is it not more logical to choose an area for wilderness where values are not so great?

ATTACHMENT C

ATTACHMENT C--DISCUSSES THE MANAGEMENT ALTERNATIVE AVAILABLE--AND OUTLINES IN DETAIL THE MANY ADVANTAGES OF ONE OF THE ALTERNATIVE AVAILABLE.

ALTERNATIVE 1--THE ESTABLISHMENT OF WILDERNESS

This alternative greatly reduces the number of tree species, flowering plants and other plant life that can live and thrive in the area.

This greatly reduces the amount of wildlife that can survive as the food supply has been reduced, and the diversity of habitat has been adversely affected.

To a degree it has created a biological desert.

The values to be derived from timber, a renewable resource, are lost.

The economy of the area is adversely affected.

It appears that only one out of each fifteen to twenty people who presently enter the area do so to enjoy a wilderness experience.

The direct and indirect costs of establishing wilderness are excessive. The cost of purchasing the coal at a minimum would be $35,000,000 or more whether it be in cash or other valuable assets. The loss of the stumpage value of the timber should be some $25,000,000 over a hunderd year period. Over the same period of time the loss of earnings by contractors should be some 50,000,000. The loss of mining jobs for the area would result in monetary losses of over a $100,000,000. In addition to this there would be loss of revenue to county, state, and federal governments.

ALTERNATIVE 2 -- OPENING UP THE BACK COUNTRY TO FULL SCALE TIMBERING AND MINING

We find no one in favor of this.

ALTERNATIVE 3 -- THE ADOPTION OF A MANAGEMENT SYSTEM TO COORDINATE MANY USES-ENHANCE MANY VALUES - ACCOMPLISH VALUABLE RESEARCH _ DEMONSTRATE MANAGEMENT TECHNIQUES

Since people are attracted to the area because of the variety of flowering plants, tree species and other plant life and to view birds and other wildlife the first objective would be creating situations necessary to the enhancement of plant life and wildlife. Attachment B made it clear that this can only be accomplished by harvesting timber.

Even though timber would not be managed for top dollar and the annual harvest would be reduced considerably let us enumerate the many advantages.

1. Plant and wildlife and the many attributes of the area would be enhanced.

2. It would relieve the pressure to harvest the maximum amount of timber in other choice areas in order to meet the demands of industry.

3. The stumpage value of the timber harvested would flow into the United States Treasury.

PAGE 2 OF
ATTACHMENT C

4. It would have a favorable impact on the local economy.

5. Because of the special techniques that would be applied and the great variety of plant life it would be the ideal place to do research and demonstrate how plant and animal life respond to such factors as sunlight, shade, soils, slope aspect and moisture conditions.

6. The area would attract nature lovers, biologists, botanists, foresters, other professionals and tourists.

7. The Cranberry Mountain Visitors Center is located nearby. Its status could be greatly enhanced by accumulating the research data at this center in order that professionals could review the data and go on the ground to observe the results.

8. In order to further enhance the value of the center slides of flowering plants, tree species, glade area and wildlife could be accumulated for viewing by both students and visitors in order that they could better appreciate the area and better identify flowering plants, tree species and wildlife.

It is evident that no comprehensive plan can be formulated for the original CRANBERRY BACK COUNTRY area while Congress is considering a portion of the area for wilderness. It is our belief that Congress should withdraw the area from further wilderness consideration. At such time the Chamber together with other interested parties would be in a position to ask the Forest Service to formulate a plan that would coordinate many uses and enhance many values. We believe that a team consisting of botanists, biologists, foresters and other professionals could formulate a plan that would do an outstanding job. It is possible that the final plan would require Congressional approval.

The Chamber urges that you give these views the fullest consideration.

ATTACHMENT D

ATTACHMENT D--DEALS IN SPECIFICS ON THE QUESTION OF HARVESTING TIMBER AND MINING COAL IN THE AREA UNDER DISCUSSION

TIMBERING

It is evident that the harvesting of timber is essential if we are to have a variety of plant life and an abundance of wildlife.

Producing timber for top dollar should not be a goal.

MINING

High quality low sulphur metallurgical coal is scarce. High quality metallurgical coal is essential and should be mined except there are certain specific considerations that should be taken in account. These relate to such things as high sulphur content, danger of acid flow into streams, will there be waste piles and tipples in undesirable locations, and will it be necessary to have openings and haul roads in the vicinity of highly used play grounds and recreation areas. Since none of these conditions are applicable we see no reason to forbid mining.

We wish to further state that there are pockets of coal within the Cranberry River watershed. The general public is hoping that this coal can be removed by entrances outside the watershed. However, they do not want tipples and openings in this water shed.

The point we are making is this. If Congress is not concerned with coal mining in the Cranberry River watershed for what reason are they concerned with the 18,000,000 tons on the Williams River watershed where mining is of less interest to the general public and where previous mining has taken place in the general area and we recall no complaints.

Senator **WALLOP**. Thank you.
Mr. Howard Deitz.

STATEMENT OF HOWARD DEITZ, CHAIRMAN, FOREST PRACTICES COMMITTEE, WEST VIRGINIA DIVISION, IZAAK WALTON LEAGUE, RICHWOOD, W. VA.

Mr. **HOWARD DEITZ**. My name is Howard Deitz. I live in Richwood, W. Va. I am chairman of the Forest Practices Committee, West Virginia Division, Izaak Walton League of America. I am married, but must admit to having a life-long love affair with the Cranberry back country, all 53,000 acres of it.

We are here today to consider the Cranberry back country and the question of wilderness designation. I am here to report to you the thinking and action of the West Virginia Division, Izaak Walton League of America.

We are opposed to the wilderness legislation dealing with 35,000 acres of the Cranberry back country and propose what we believe is a better solution, a legislative designation of back country for the original 53,000-acre Cranberry back country under a strictly regulated multiple-use concept.

The State convention of the West Virginia Division, Izaak Walton League of America, held in Richwood, W. Va., June 11, 12, and 13, 1982, passed by a unanimous vote a resolution dealing with the subject before us today. I would like to paraphrase and quote from it and submit the resolution for the record.

The resolution recognizes that for several decades the citizens of Richwood and the citizens of surrounding counties have fully supported the back-country concept. This concept permitted the U.S. Forest Service to successfully and fully implement true multiple-use up until 1964.

The convention recognized that diversity and wildlife would be threatened under a wilderness designation and that since all timber harvesting would be prohibited in wilderness areas, increased pressure to overcut remaining areas would be a danger.

The West Virginia Division, Izaak Walton League of America resolution calls on the U.S. Forest Service to withdraw its approval of wilderness designation for the Cranberry back country.

It also asks the Forest Service to formulate plans and present to the U.S. Congress for approval a designation of back country for the original 53,000-acre Cranberry back country.

The resolution proposes that back-country designation, among other things, should include, one, strict multiple-use emphasizing nonconsumptive uses; two, limited access; three, moderate timber harvesting, using the uneven-aged system and that any mineral extraction or drilling would be done under strict regulations that would guarantee a compatible environment for other multiple uses.

The Cranberry back country is a special, unique, and beautiful area that requires special legislative designation and special management that will bring about successful, multiple-use rather than single or dominate use.

I might note that in addition to the Richwood Chamber of Commerce, the County Commission of Nicholas County, and the Marlinton Chamber of Commerce of Pocahontas County strongly support the back-country concept as opposed to wilderness designation for this area.

I would like to also point out that the plan in this bill to exchange minerals is something that is very nebulous. No one that we have talked to can give us any facts or figures or amounts or where. There is no price tag on this. We don't know whether it is within the State of West Virginia or in some other State.

And is this bill asking our two U.S. Senators from West Virginia to support the export of jobs from West Virginia? We don't know. It certainly needs much more information before it should be acted upon.

We would ask this subcommittee, we ask them to turn down the present wilderness proposal and to consider a much better alternative management proposal that would have a designation by the Congress of back country for the original 53,000 acres of the Cranberry back country.

Thank you, sir.

[The prepared statement of Mr. Howard Deitz follows:]

My name is Howard Deitz. I live in Richwood, West Virginia. I am Chairman of the Forest Practices Committee, West Virginia Division, Izaak Walton League of America. I am married - but must admit to having a life-long love affair with the Cranberry Back Country - all 53,000 acres of it!

We are here today to consider the Cranberry Back Country and the question of wilderness designation.

I am here to report to you the thinking and action of the West Virginia Division, Izaak Walton League of America.

We are opposed to the wilderness legislation dealing with 35,000 acres of the Cranberry Back Country and propose what we believe is a better solution, a legislative designation of "Back Country" for the original 53,000 acre Cranberry back country, under a strictly regulated multiple-use concept.

The state convention of the West Virginia Division, Izaak Walton League of America, held in Richwood, West Virginia, June 11, 12, and 13, 1982, passed by a unanimous vote a resolution dealing with the subject before us today. I would like to paraphrase and quote from it and submit the resolution for the record.

The resolution recognizes that for several decades the citizens of Richwood and citizens of surrounding counties have fully supported the "Back Country" concept. This concept permitted the U.S. Forest Service to successfully and fully implement true multiple-use up until 1964.

The convention recognized that diversity and wildlife would be threatened under a wilderness designation, and that since all timber harvesting would be prohibited in wilderness areas, increased pressure to overcut remaining areas would be a danger.

The West Virginia Division, Izaak Walton League of America resolution calls on the U.S. Forest Service to withdraw its approval of wilderness designation for the Cranberry Back Country.

It also asks the Forest Service to formulate plans and present to the U. S. Congress for approval, a designation of "Back Country" for the original 53,000 acre Cranberry Back Country.

The resolution proposes that "Back Country" designation, among other things, should include:

1. Strict multiple-use emphasizing non-consumptive uses.
2. Limited access.
3. Moderate timber harvesting, using the uneven-aged system, and, that any mineral extraction or drilling would be done under strict regulations that would guarantee a compatible environment for other multiple-uses.

The Cranberry Back Country is a special, unique and beautiful area that requires special legislative designation and special management that will bring about successful multiple-use rather than single or dominate use.

I might note that in addition to the Richwood Chamber of Commerce, the County Commission of Nicholas County and the Marlinton Chamber of Commerce of Pocahontas County strongly support the "Back Country" concept as opposed to wilderness designation for this area.

Thank you.

At the state convention, West Virginia Division, Izaak Walton League of America, held in Richwood, W.Va. June 11, 12, 13, 1982, the following resolution was adopted unanimously.

" Cranberry Back Country" Resolution

For several decades the citizens of Richwood and the citizens of surrounding counties have fully supported the "Back Country" concept.

And, since this concept permitted the U.S. Forest Service to successfuly and fully implement true multiple use until 1964;

And, since diversity and wildlife is threatened under a strict Wilderness designation;

And, since timber harvesting, prohibited in Wilderness areas, creates excessive cutting pressures on remaining harvestable forest areas of the Monongahela National Forest;

Therefore, the W.Va. Division, I.W.L.of A. requests that the U.S. Forest Service withdraw its approval of Wilderness status for part of the orginal 53,000 acre Cranberry Back Country.

And, futher, be it resolved, that the U.S. Forest Service formulate plans and present to the U.S. Congress for approval, a designation of " Cranberry Back Country" for the orginal 53,000 acres.

It is recommended that the following items be a part of the "Cranberry Back Country" legislation:

1. Strict multiple use emphasizing non-consumptive values.

2. Limited access.

3. Timber harvesting will be moderate, using the uneven-aged system. Any mineral extraction or drilling will be done under strict regulations that will guarantee a compatible enviroment for other multiple uses.

4. Timber harvesting will be done on an area large enough (53,000 acres) and over a period of time long enough (at least 50 to 75 years) to demonstrate the feasibility of converting any even-aged timber stands to an uneven-aged or all-aged condition.

5. Any "change of direction" or marked increase of extractive commercial uses could only come about as a result of a U.S. Congressional declaration of a national emergency.

The unanimous adoption of the above resolution withdraws any previous position taken by the West Virginia Division Izaak Walton of America due to the many additional in-house studies encouraging uneven-aged timber management in the Cranberry Back Country.

Senator **Wallop**. Thank you, Mr. Deitz. I guess the answer to the question you pose at least insofar as mineral development, the bill does support the export of West Virginia jobs to either Kentucky or the BLM and elsewhere in the country and I think the testimony of your State director of natural resources, he did not say that it was, because he did not know, but tended to indicate at least that there was precious little that West Virginia has that it might be able to exchange for minerals that underlie there.

I would like to submit for the record a letter from Senator Randolph, addressed to me today.

[The letter follows:]

JENNINGS RANDOLPH
WEST VIRGINIA

United States Senate
WASHINGTON, D.C. 20510

COMMITTEES:
ENVIRONMENT AND PUBLIC WORKS
LABOR AND HUMAN RESOURCES
VETERANS AFFAIRS

For the Record

August 11, 1982

Honorable Malcolm Wallop
Chairman
Subcommittee on Public Lands
and Reserved Water
Committee on Energy and Natural Resources
3204 Dirksen Senate Office Building
Washington, D. C. 20510

Dear Mr. Chairman:

This letter is to express appreciation for your timely attention to H.R. 5161, a bill to designate certain lands in the Monongahela National Forest as wilderness and to designate management of certain lands for uses other than wilderness. Senator Byrd and I are grateful for your cooperation in responding to our request for a hearing on this measure by the Subcommittee on Public Lands and Reserved Water.

As you are aware, I have generally supported the wilderness concept. However, it is my belief that complete hearings should be held on this bill which would affect the status of three proposed wilderness areas in our State. Of particular importance is the Cranberry Wilderness Area on which many interested individuals should have the opportunity to present their views.

There is very strong and persuasive support in West Virginia for H.R. 5161. But there is also the concern of many citizens who have contacted our office over the settlement of mineral rights compensation issues, taxes foregone by local governments and preservation of the scenic and wildlife values of the Cranberry Backcountry. These three issues, in my judgment, were not adequately addressed in the House report and the debate in that body. In fact, the economic impact on local governments was not discussed in any manner. I am hopeful that the Subcommittee on Public Lands and Reserved Water will thoroughly review these questions. You may be assured of my cooperation and efforts to assist in this process.

Again, thanks for your consideration of this important legislation and your favorable response to our request for hearings.

With warm personal regards, I am

Truly,

Jennings Randolph

Jennings Randolph

Senator **Wallop**. Let me ask you both a question, you and Mr. George, do you suppose in any way that the citizens of Morgantown or Huntington feel so strongly about this that they would be willing to help those counties out in their lost revenues that the county commissioners forecast? Do you think that would come from the West Virginia Legislature at some time, that there would be compensation to them for this designation?

Ms. **Elkinton**. Under a recent court decision in the State of West Virginia in regard to school finance which local revenues from property taxes has normally been applied at the county level to cover the operations of schools, this has been equalized now and will make a tremendous difference in regard to local revenues in the State. It will mean more of a sharing of the burden in all of the counties across the state.

Senator **Wallop**. Do you think there would be a willingness upon the part—there would not be a whole lot to compensate them for $600,000 or something that is spread all over the State of West Virginia, but it would be precedential, I imagine.

Mr. **George**. Mr. Chairman, I am not aware of any mechanism established or even considered at this point for doing what you might suggest. We have some people here from Pocahontas County today who can speak in a great more detail of the physical impacts on the counties.

What I have been told and what I can gather from the Wilderness Society economic investigation, the impact is not all that great, particularly due to the speculative nature of mining in that area anyway.

Senator **Wallop**. I don't want to interrupt, but Mr. Coppelman, were the citizens of the county involved in this economic study? Were they given a chance for any input?

Mr. **Coppelman**. The study was performed with discussions with the Forest Service and the U.S. Geological Survey, written information, and there was a field trip that the authors of the study took to West Virginia and they did discuss this issue with a number of people in West Virginia. Exactly who, I don't know myself. There is somebody here who worked on the study who can answer that or else I can supply it for the record.

Senator **Wallop**. Could you, I would appreciate it.

Mr. Deitz, did you have a comment to make?

Mr. **Lawrence Deitz**. Along the same line, when I prepared this paper, I was told to limit it to 5 minutes and I could not speak on the economic situation of it.

Senator **Wallop**. I would say again that the record will remain open for 2 weeks and if you wish to address that, we would be pleased to hear it.

Mr. **Lawrence Deitz**. I have spent maybe 30 years in that area and I know what has taken place. I did report to the chamber of commerce on the economic aspects of it several years ago. Primarily speaking for the 30,000 people that come into the area, I would assume that probably 18,000 of them have come in for 30 years and will continue to come in for 30 years regardless of the designation to fish along the stream, sometimes 200 or 300 on the weekends, also hunters and naturalists and people who are nature lovers, at

Senator **Wallop**. One of the things that is concerning me here about the testimony, the testimony of the county commissioners and the two Deitz's—I assume you are brothers.

Mr. **Lawrence Deitz**. Cousins.

Senator **Wallop**. I should not assume anything. I apologize for that. Is this question of what happens, and Mr. Coppelman, you have said the key issue may be the private holdings, that there would be more benefits for society than other uses of that area might find, but does not that sort of ignore the local society, many of whom may have feelings of participating in the national sacrificial right of which their interest and concern, as at least expressed by the county commissioners, is involved.

Mr. **Coppelman**. The analysis that I referred to does look at the benefits to society as defined in a broader sense than just the local, the particular local impacts and that is something that is addressed and there will be some loss of jobs and the report acknowledges that.

Senator **Wallop**. Is that not a very poor part of West Virginia?

Mr. **Coppelman**. Yes, it is, but you have heard and will hear testimony from those who have benefited economically in a strict financial sense from the fact that certain areas in West Virginia are preserved as wilderness. So there is a tradeoff. There are different kinds of jobs created. Also much of West Virginia has suffered from boom and bust cycles and certainly these kinds of jobs could be subject to that kind of cycle.

Senator **Wallop**. Ms. Elkinton, you made mention, too, of the fact that there would be tourism revenues but why are not those tourism revenues now? I mean, it has been managed since 1936 as the kind of area that seeks to be as wilderness and why would they expect more tourism revenues to pay after we have designated this than they are presently having?

Ms. **Elkinton**. As you probably know, something magical happens to a place when it is named a Federal wilderness area that does not exist otherwise.

Senator **Wallop**. Sometimes it is not so magical, too.

Ms. **Elkinton**. That is right. In this case being so close to the east coast, we feel certain, as with the other wilderness areas in the State and as has occurred where the economic development has increased significantly in the county and the surrounding counties where the local areas, where the wilderness areas that exist now are located, and we are certain that this will happen in this area as well.

The kinds of jobs and the kinds of opportunities that wilderness offers come at a much lower social cost as well. When you are talking about jobs related to the tourist industry you are not talking about coal mining and timber industry jobs, which can be very hard on people, the health standards and the safety standards.

We have a lot of people in West Virginia who have suffered from those industries as well as gotten some money for a while. We feel that as wilderness the area will profit a great deal more than if the resources, the coal and the timber resources, that are located in the Cranberry back country and Laurel Fork, were recovered as they will eventually be in other parts of the State.

least half of the balance would come in there regardless of the designation.

Actually, I took it upon myself last October on a beautiful day to visit the main entrances to the wilderness and I found no cars parked there and on the weekends only maybe two and three and once five to two of the main entrances. Now, there are other entrances.

But we assume that they would use them. Really, our assessment is that there are really very few wilderness buffs using it. I don't think that can be compared to 370 jobs a day and the people coming in, the salesmen and so forth. I do not see the comparison myself.

Senator WALLOP. We would be happy to have you submit that study if you wish to.

Mr. GEORGE. Mr. Chairman, I would like to continue to respond to your original question about jobs. I come from a long family of coal miners, for the last 80 or 90 years; 40 years ago, you could take a pick and shovel and walk into a mine and the same day you could be a coal miner. Today coal mining is a very specialized industry. Those people who are coal miners are highly trained technicians.

There is no existing large pool of unemployed coal miners in Pocahontas and even the Eastern parts of Webster and Nicholas Counties. The reason being that there has not been a lot of mining in this area in the recent decade. So the jobs that we are talking about, the people in Pocahontas County, would go to people from other parts of W. Va. who would be willing to move to those areas.

I don't believe that to any large extent they would go to the indigent residents of this area.

Senator WALLOP. But you would not deny the bill contemplates the export of those jobs, whether from that county or somewhere else within the State?

Mr. GEORGE. No.

Senator WALLOP. I appreciate your testimony. It is a difficult knot to unravel, but we will continue to work on it. I would suggest that a couple of you may want to comment on the testimony from the Izaak Walton League and the converse. The Izaak Walton League may want to comment on your study if it is available to them. It certainly would be helpful to us to have both.

Mr. COPPELMAN. Very well.

Senator WALLOP. Thank you very much.

[Subsequent to the hearing the subcommittee received the following:]

L. W. Deitz
Box 784
Richwood, West Virginia 26261

1982 AUG 25 PM 12: 10

August 21, 1982

HR6161

Honorable Malcolm Wallot
Chairman Senate Sub-Committee
on Public Lands and Natural Resources
Washington, D. C. 20510

Dear Senator Wallot:

On August 11, I presented a statement before your committee on the question of establishing wilderness for the Cranberry Wilderness Study Area.

I noted at the hearing that the controversy and objections surfaced in three major areas of concern.

I am enclosing a one page statement with an analysis of these concerns. The statement attempts to do the folllowing.

I. Outlines the outstanding features of this choice area and suggests the guiding managemnt principal necessary to meet the need and desires of a broad spectrum of people.

II. Outlines the three major areas of concern.

III. Suggests that strict wilderness designation does not meet any of these concerns, but the continuation of Back Country goals and priorities does do so.

IV. Suggests that Back Country designation is the solution to the three major areas of concern.

Here-to-fore many people did not realize how lack of sunlight affected many species of plant and animal life. As we induce people to have a look in good mixed hardwood forests noting the transition that takes place without managemnt they immediately change their mind as regards the establishment of wilderness.

The establishment of wilderness for this choice area is of grave concern to all who appreciate the diversity of plant and animal life.

I wish to have the enclosed statement entered in the record for consideration by your committee.

Sincerely,

Lawrence W. Deitz

ADDITIONAL STATEMENT OF LAWRENCE DEITZ--A CONDENSED ANALYSIS OF CONCERNS RELATING TO WILDERNESS VERESUS CONTINUATION OF BACK COUNTRY.

I. The single most outstanding feature of the Cranberry Back Country is diversity. Because it is a relatively young and therefore vigorous forest, the Cranberry provides unusually great diversity of both plant and animal species. It is this biological diversit that furnishes an opportunity for a diversity of uses to meet the needs and desires of a broad spectrum of people.

The guiding principle in managing of the Cranberry, since the early work on the National Forest Management Act, has been to provide for multiple use rather than a single or dominant use. In order to keep that worthy ideal a reality, management of the area must be directed at maintenance and enhancement of biological diversity.

II. The controversy surfaces in three major areas of concern:

A. Conserving current recreational and environmental values.

B. Maintaining local job opportunities and tax base.

C. Protection of the rights of private mineral owners.

III. It is our view that strict wilderness designation does not meet any of these concerns but that a formal legislative designation of Back Country meets all of them to a large degree.

A. In order to conserve present environmental values, the Forest Service must have management flexibility including manipulation of vegetation, in order to keep part of the forest young and vigorous at all times; this is not possible in pure Wilderness.

B. By allowing carefully controlled use of mineral and timber resources, job and taxing opportunities will be conserved even though they are somewhat less than would be expected if mining and timbering were primary objectives.

C. In the current Wilderness Bill, West Virginia Coal would be locked up in favor of releasing coal on federal land elsewhere for mining. This has the effect of exporting jobs and taxes from West Virginia to some other state. Allowing private mineral owners to develop mineral resources in a manner compatible with Back Country goals and priorities makes exchange of mineral rights unnecessary.

IV. Formal Back Country designation by the Congress represents a compromise between the highly restrictive and ultimately destructi designation of pure wilderness and the unrestrained commercial development of the Cranberry. It is an idea that is gaining considerable support from West Virginians on all sides of the issue and is a positive step toward the multiple use ideal.

1982 AUG 25 AM 10 03

THE WILDERNESS SOCIETY

FOUNDED IN 1935

23 August 1982

Honorable Malcolm Wallop
204 Russell Senate Office Bldg.
Washington, D.C. 20510

Re: Submission for Public Lands Subcommittee hearing record on H.R. 5161, a bill to designate wilderness areas in West Virginia

Dear Senator Wallop:

At hearings held by the Public Land and Reserved Water Subcommittee of the Senate Energy and Natural Resources Committee on H.R. 5161, August 11, 1982, I testified in part regarding a study recently completed by the Economic Policy Department of The Wilderness Society entitled: "Coal and Wilderness: A Case Study of Comparative Values in the Proposed Cranberry Wilderness, West Virginia." During my testimony and the testimony of others you raised questions about the impact of wilderness designation of the Cranberry on local employment and local tax revenues. Following the hearings, I asked the Economic Policy Department to focus their analysis more closely on these two issues. Attached is the reply memorandum from the Department. I would request that the memorandum and this cover letter be included in the hearing record, and I hope this additional information is helpful to the Committee in its deliberations.

These are difficult and important issues. We look forward to a continuing open dialogue with you to reach a resolution which is in the best interests of all concerned.

Thank you for your courtesy at the hearings, and for your attention to this request.

Very truly yours,

Peter D. Coppelman

Peter D. Coppelman
Counsel and Forest Issues
Specialist

1901 PENNSYLVANIA AVENUE, N.W., WASHINGTON, D.C. 20006
(202) 828-6600

THE WILDERNESS SOCIETY

FOUNDED IN 1935

MEMORANDUM

TO: Peter Coppelman

FROM: Gloria Helfand, Associate Economist

DATE: August 23, 1982

RE: Social and Economic Impacts of Wilderness Designation for the Cranberry Area, West Virginia

---

A study of the Cranberry area recently completed by The Wilderness Society's Economic Policy Department[1] found that eastern wilderness areas are a scarce commodity, while the coking coal underlying the Cranberry is not. For that reason, the study concludes that wilderness designation for the Cranberry would provide society as a whole with greater benefits than would mining the area. However, while society as a whole would benefit, the effects on people in the immediate area of the Cranberry might be quite different. These effects cannot be predicted with certainty; they depend on many factors, such as the general state of the U.S. economy, the substitution of capital for labor in the coal industry, and the demand for wilderness recreation. The following discussion looks at social and economic impacts of wilderness designation on the Cranberry in light of these uncertainties. The two major impacts considered are employment in the surrounding area and the local tax base.

Area Employment

If the Cranberry is not designated wilderness, then it is possible that new jobs may be created in the surrounding areas. The exact number of jobs depends on the rate of mining the Cranberry coal deposit. The Forest Service estimates that one million tons of coal provides 500 jobs.[2] Thus, mining

---

[1] Gloria E. Helfand and Kenneth W. Erickson, Coal and Wilderness: A Case Study of Comparative Values in the Proposed Cranberry Wilderness, West Virginia (Washington, D.C., The Wilderness Society, April 1982).

[2] USDA - Forest Service, A Proposal: Cranberry Wilderness (Elkins, W.V., Monongahela National Forest, June 1978), p. A33.

1901 PENNSYLVANIA AVENUE, N.W., WASHINGTON, D.C. 20006

(202) 828-6600

could lead to as many as 370 jobs, based on mining 740,000 tons of coal per year, with the coal deposit (and jobs) exhausted in 25 years. If coal is mined at the rate of 300,000 tons per year, then only 150 jobs would be created, though they are likely to last for 60 years.

These figures represent potential jobs; they do not necessarily reflect what will actually happen if the Cranberry is left available for mining. Other factors may alter these estimates. For instance, the CSX Corporation may decide not to mine the deposit in the near future, or it may mine the coal at a slower or faster rate than estimated here. Either of these possibilities would alter the number of potential jobs. Additionally, it is possible that substitution of capital (machinery) for labor will limit future jobs in coal mining. The jobs created may not be new; they may simply substitute for jobs already existing in the area. Finally, allowing development in the Cranberry may reduce the number of service jobs currently dependent on the recreational values of the Cranberry in a natural condition. The estimate of 370 new jobs due to coal mining is likely to overstate the net increase in jobs that would actually occur.

In addition to the uncertainty over the number of jobs created, the jobs may not be unmixed blessings to the local communities. New mining jobs might lure new people to the area, forcing the local governments to spend money on additional public services, such as schools, hospitals, and water systems, for these new residents. If coal mining takes place on an off-and-on basis -- fluctuating with the demand for coking coal -- there will be periodic unemployment for those with jobs dependent on coal mining. Finally, the jobs will last only as long as the coal will. West Virginia has long been subject to "boom-bust" economic development, as jobs boom with resource development and bust with resource depletion. From that perspective, gradual development of the coal deposit might lead to longer-term job availability, though fewer jobs would be provided. On the other hand, rapid development would lead to more jobs, more present income to those employed by the mines, and quicker returns to the CSX Corporation. The tradeoffs surrounding "new jobs" potential should receive careful attention from all interested parties if the Cranberry is not designated wilderness.

The effects of wilderness designation on employment are even less certain than the effects of not designating the area wilderness. If designation brings more people to the Cranberry area, then jobs in the service sector may increase. Though these jobs generally are lower-paying than coal mining jobs, and though they tend to be seasonal, they may be more stable in the long run. The Snowshoe ski resort in Pocahontas County now provides a developed winter recreation attraction; with the Cranberry as a complementary undeveloped warm-weather attraction, the seasonal employment of the two sectors might balance each other off over the annual cycle. Finally, the kinds of jobs created by recreational development can generally be filled by unskilled workers, a sector with traditionally high unemployment. West Virginia's travel industry stimulates enormous economic activity in the state, generating more than $1 billion in sales and $217 million in salaries in 1979.[3] Wilderness designation for the Cranberry could increase interest in the area and thus contribute to the economic development that tourism brings to West Virginia.

Wilderness designation will not cause the loss of any current jobs: no present jobs are dependent on development. If the Cranberry is not designated wilderness, it is likely that more jobs would be created by mining activities than by leaving the area undeveloped, though some jobs dependent on the recreational opportunities of the Cranberry may be lost. Jobs created with wilderness designation probably would be less subject to the fluctuations of the coal industry and would last longer into the future, though they might fluctuate seasonally. Designating the Cranberry as wilderness is unlikely to reduce the area's unemployment problems substantially, though it will probably not exacerbate them; allowing development in the area will probably have some positive effect on job availability, though the number of new jobs is uncertain.

Local Tax Revenues

If the Cranberry is designated wilderness, with the underlying coal deposit brought into federal ownership, then Pocahontas County (and, to a minor extent, Webster County) will lose some tax revenue: first, from property taxes paid by the CSX Corporation for its subsurface rights; and second, from that portion of the West Virginia severence tax on coal that goes into counties and municipal governments. The Pocahontas County Commission opposes designation of the Cranberry as wilderness because the county would lose $17,000 a year in property tax revenues.[4] The commission believes that this revenue is important for the county's financial balance.

In the 1981 fiscal year (July 1, 1980, to June 30, 1981), total revenue in Pocahontas County was $1.9 million. Thus, the property taxes paid by the CSX Corporation represent less than 1 percent of county income. Indeed, it is only about 5 percent of income from property taxes alone. The annual interest earned by the county, $50,460, is three time the size of the property taxes paid by the CSX Corporation. At the end of fiscal year 1981, the county had no debts and a balance of about $625,000 in cash and deposits.[5] Thus, the loss of this revenue would have a negligible effect on the county budget.

---

[3] Patricia E. Goeke, "The Economic Impact of Travel in West Virginia" (Morgantown, WV, West Virginia University for the Governor's Office of Community and Economic Development, 1981), p. 1. (Mimeograph)

[4] Walt Helmick, Pocahontas County Commissioner, in testimony before the Subcommittee on Public Lands and National Parks of the Committee on Interior and Insular Affairs, U.S. House of Representative, Washington, D.C., January 28, 1982. The County would probably relax its opposition if the federal government would reimburse the county for this loss.

Distribution of the severance tax to counties and local governments from coal development is based on two factors: the amount of coal produced in the county relative to coal production in West Virginia as a whole, and the population of the county relative to the total population of West Virginia.[6] Because (aside from the potential of the Cranberry) Pocahontas County produces no coal, and because its population (about 9,900 people) is a small fraction of the total population of the state, its additional receipts from the severance tax due to mining the Cranberry deposit would be minimal -- perhaps $650 per year with current coal prices, at the rate of 740,000 tons mined per year. Its contribution to the county is far less than that of the property tax. In conclusion, the effects on the budget of Pocahontas County from designation of the Cranberry as wilderness would be negligible.

The ultimate effect of wilderness designation for the Cranberry area will be to maintain current conditions in the area, with a slight loss in county property tax revenues. No jobs would be lost, though fewer might be created than if the area were mined. The county budget, at least at present, has enough revenue that the loss of property tax revenue due to wilderness legislation would not be significant: indeed, the county shows no evidence of having any financial difficulties, with or without the $17,000 from property taxes on the Cranberry. It is even conceivable that wilderness designation might lead to more second-home or resort development, thus increasing property tax revenues. Though wilderness designation would not be likely to bring economic growth to the area, it would not appear to have any major adverse effects.

---

[5] State Tax Department of West Virginia, Local Government Relations Division, "Annual County Financial Statement for Fiscal Year Ending June 30, 1981 - Pocahontas County" (Charleston, WV, State Tax Department, 1981).

[6] State Tax Department of West Virginia, West Virginia Tax Laws (Charleston, WV, State Tax Department, 1979), pp. 56-57.

1982 SEP 15 PM 4:02

THE WILDERNESS SOCIETY

FOUNDED IN 1935

13 September 1982

Honorable Malcolm Wallop
United States Senate
Washington, D.C. 20510

Dear Senator Wallop:

At the hearing on H.R. 5161 on August 11, 1982, you asked that The Wilderness Society respond to the statement by witness Lawrence Deitz that "wilderness destroys diversity." I have consulted with professional foresters and others in response to your request. Attached is a factsheet on wilderness and diversity which refutes Mr. Deitz' assertion. If it is not too late to do so, I request that you include this letter and the enclosure in the hearing record.

Thank you for your consideration of this request.

Very truly yours,

Peter D. Coppelman
Counsel and National Forests Issue
Specialist

1901 PENNSYLVANIA AVENUE, N.W., WASHINGTON, D.C. 20006

THE WILDERNESS SOCIETY

FOUNDED IN 1935

FACT SHEET: WILDERNESS AND DIVERSITY

Greater biological diveristy in the Cranberry study area can be achieved under wilderness designation than under any other land use classification. The degree of biological diversity (the number of plant and animal species present in a given area) varies with different stages of ecological succession. In the earliest stages of succession, say the first ten years following a disturbance such as a natural opening or timber harvesting, there is a tremendous number of plant and animal species, mostly shrubs and low plants and the wildlife that feeds upon them. As the forest enters its intermediate growth stage the shading of the forest floor is at its greatest--few plants can survive this lack of sunlight, limiting the forest to only the overstory tree species. Biological diversity is at its lowest during this stage. As the forest matures, short-lived tree species begin to die, creating natural openings for sunlight. This engenders new growth of tree and shrub species that, in turn, serve as browse for many species of wildlife. Meanwhile, longer-lived trees such as oak and beech grow larger, producing denning and nesting sites for many animal species as well as quantities of acorns and beechnuts (mast) to sustain a wide range of mammals, birds, and invertebrates.

It is at this "climax stage" of succession that biological diversity is at its peak. Not only do the older portions of the forest provide an overstory rich in habitat and food production but the understory vegetation (small trees and shrub species) begins to flourish, itself providing food and cover for a growing variety of animal species. As individual trees die and fall, they provide habitat for denning mammals and a growing medium for a rich diversity of small flora and fauna. In the newly created opening early successional plant species thrive and provide food and habitat for animals whose needs cannot be met in the older portions of the forest. The climax central hardwood forest then becomes a vast mosaic representing many successional stages, each with its own variety of plant and animal species, and providing the maximum in biological diversity.

Wilderness designation would encourage the development of such a climax forest in the Cranberry. Wilderness does not "destroy diversity", nor does it harm wildlife. On the contrary, wilderness would create an enriched and dynamic forest environment unmatched by any forest modified by the hand of man.

1901 PENNSYLVANIA AVENUE, N.W., WASHINGTON, D.C. 20006

(202) 828-6600

Senator **Wallop**. The last panel is Mr. Roy Moose, a high school biology teacher from Richwood, W. Va.; Ms. Donna Borders, a counselor from Marlinton, W. Va.; Natalie Austin and Charles Hankerson, co-owners and comanagers of the Marlinton Motor Inn of Marlinton, W. Va.; Mr. Richard Evans, mental health administrator, Hillsboro, W. Va.; and Mr. William P. McNeel, editor of the Pocahontas Times in Marlinton. We thank you for your patience and we will begin.

STATEMENT OF ROY C. MOOSE, HIGH SCHOOL BIOLOGY TEACHER, RICHWOOD, W. VA.

Mr. **Moose**. I am Roy Moose. I am a teacher at Richwood High School and have been there for 15 years. I have been counselor to a science group with some of the colleges.

During the subcommittee hearings in the House on this wilderness legislation, we heard a number of arguments against wilderness, which I felt misrepresented the facts and led to many misconceptions. We heard that wilderness designation might result in biological deserts, where diversity of plant and animal life would be much reduced; that wilderness is the result of widespread forest fantasy, which says that when early explorers came to our shores they saw lush, all-aged forests; that a climax forest would result in a few predictable dominant species of trees.

I researched this extensively. I spoke with biologists and ecologists at the Great Smokey Mountains National Park, at West Virginia. University and Marshall University in my State, at the University of Virginia and at the University of Georgia.

I came across studies such as this, a historic account from "Tumult On the Mountains" by Roy B. Clarkson, which says that "The early pioneer found the entire State teeming with game, similarly deer, turkey, black bear, and other big game were plentiful and easy to secure." So it appears that they were able to withstand the wilderness very easily.

Robert L. Smith in "Ecology and Field Biology" states that a climax forest results in a wide diversity of species. He states that for all practical purposes the climax forest is rarely if ever attained, but that this final stage will vary with environmental and biotic conditions.

These statements are consistent with my interviews with biologists and ecologists and refute the reduced diversity, biological desert and forest fantasy arguments against wilderness areas.

The resource management specialist at the Great Smokey Mountains National Park, who has worked at 10 other parks all over the United States, is of the opinion that the relatively small acreage of the Cranberry will not have any adverse effects on animal populations.

It is also apparent that since there are both north facing and south facing slopes and elevation variance from 4,200 feet down to 3,000 feet, the natural environmental differences of the area will result in a diversity of plant species and not a monotonous monotypic biome.

This Cranberry area which is less than 1 percent of the forest land of West Virginia would be one of the largest eastern national forest wilderness areas. Nearly all protected wilderness is found in the West while the heavily populated East continues to diminish its existing forested areas.

The whole array of West Virginia wildlife exists in abundance in the Cranberry back country. It has been a black bear sanctuary since 1966 and is part of the largest black bear breeding area in the State. Large flocks of wild turkey flourish here. Deer are plentiful.

The eastern cougar, included on the Federal list of endangered species, has been reported to have been sighted repeatedly in the back country. At least five species of birds reach their southernmost known breeding limits in eastern North America. In the Cranberry back country a number of other birds and several mammals also approach their southern breeding limits in this area.

There are many northern plant species in the area, several of which occur in their southernmost known colonies here. The U.S. Forest Service estimates about 4,000 acres of old growth northern hardwoods and spruce exist in the proposed wilderness and are now regaining their early wilderness character.

These unique and diverse varieties of plant and animal life and a chance for solitude in a wilderness environment attract canoeists, backpackers, campers, fishermen, hunters, cross-country skiers, biologists and the general public by the thousands.

The U.S. Forest Service statistics log 14,000 visitor days in 1976 and 31,900 in 1980 and when the entire back country is included, these numbers escalate to between 50,000 and 80,000. The trend is obvious. A vote of confidence in the area's ability to attract tourists was evident in 1967 when the Cranberry Mountain Visitor's Center was built and it has averaged 25,000 visitors a year since it opened.

The Cranberry and Williams Rivers which border the study area are two of the most popular fishing streams in the State. Cranberry River balances precariously close to an acid pH range which would not support the trout that make it so popular. The streams which feed the Cranberry from the study area are all acidic and fall within a pH range of 4.3 to 5.3, depending upon the season.

Mining is notoriously known for its contribution to increase the acidity of water in our State and would in all probability lower the pH of the Cranberry drainage. The famous Cranberry Glades, a refuge of unique plant and animal life since the Pleistocene may also suffer adverse effects if exploitation of the surrounding areas occurs.

The paper promise of jobs and money to the area has been made before. The loss of revenue from the 50,000 to 80,000 visitors to the Cranberry, if its environment is altered is a very real and definite result. The silent majority has stood repeatedly to be counted in favor of this wilderness issue.

I am greatly concerned over the status of the Cranberry back country. As a teacher and a youth leader, I appreciate the uniqueness of this area and constantly enjoy with my students its rich wilderness experience. I grew up in this area and I have yearly seen segments of our wilderness eaten away by various industries. I urge you to help preserve this type of environment, which is so rapidly disappearing from West Virginia and America.

Please assist us in preserving 1 percent of West Virginia's heritage at a cost of only 2-tenths of a percent of our State's coal.

[The prepared statement of Mr. Moose follows:]

Roy C. Moose
P.O. Box 30
Richwood, W.V. 26261

During the Subcommittee hearings in the House on this Wilderness legislation, we heard a number of arguments against the wilderness which I felt misrepresented the facts and led to many misconceptions. We heard that wilderness designation might result in "Biological Deserts" where diversity of plant and animal life would be much reduced; that wilderness is the result of widespread "Forest Fantasy" which says that when early explorers came to our shores they saw lush all-aged forests; that a climax forest would result in a few predictable dominant species of trees.

Although my individual training and knowledge of Biology told me these were false assumptions, I researched this extensively. I spoke with Biologists and Ecologists at the Great Smokey Mountains National Park, at West Virginia University and Marshall University in my state, at the University of Virginia, and at the University of Georgia. I also read a number of books and articles on the subject of wilderness areas, and found statements such as this from Tumult On the Mountains by Roy B. Clarkson, a renowned West Virginia biologist: "The early pioneer found the entire state teeming with game...Similarly, deer, turkey, black bear, and other big game were plentiful and easy to secure."

Robert L. Smith in Ecology and Field Biology states that a climax forest results in a wide diversity of species. He states that for all practical purposes the climax forest is rarely if ever attained, but that this final stage will vary with environmental and biotic conditions.

These statements are consistent with my interviews with the biologists and ecologists and refute the reduced diversity, biological desert, and Forest Fantasy arguments against wilderness areas.

The Resource Management Specialist at the Great Smokey Mountains National Park, who has worked at ten other parks all over the United States, is of the opinion that the relatively small acreage of the Cranberry will not have any adverse effects on animal populations. It is also apparent that since there are both north-facing slopes and south-facing slopes and elevation variance from 4200 feet down to 3000 feet, the natural environmental differences of the area will result in a diversity of plant species and not a monotonous monotypic biome.

Roy C. Moose
Box 296
Fenwick, W. Va. 26202

The Cranberry Backcountry includes 53,000 acres of wilderness area in that part of the Monongahela National Forest situated in Webster, Pocahontas, and a small portion of Greenbrier Counties, West Virginia. This entire area has remained gated and closed to unauthorized motor vehicles since 1936 when this action was initiated as a fire prevention measure. It has been open to pedestrians, horses, and non-motorized wheeled vehicles since 1945. The public has become accustomed to these restrictions and recognizes their value in preserving the wilderness character of the area.

In 1974, 36,300 acres of the Backcountry was designated as a wilderness study area by the Eastern Wilderness Bill. The United States Forest Service recommended that 35,500 acres of this same area be included in the National Wilderness System in 1978. Even though the remainder of the Cranberry Backcountry no longer meets the standards of the Wilderness Act, it should be maintained at its present status. The wilderness attribute ranking for RARE II areas placed Cranberry above all but one of 55 other Eastern areas under study. If the Forest Service's proposals were adopted, this Cranberry area which is less than one percent (1%) of the forest lands of West Virginia, would be one of the largest eastern national forest wilderness areas. Nearly all protected wilderness is found in the West while the heavily populated East continues to diminish its existing forested areas.

The whole array of West Virginia wild life exists in abundance in the Cranberry Backcountry. It has been a black bear sanctuary since 1966 and is part of the largest black bear breeding area in the state. Large flocks of wild turkey flourish here. Deer are plentiful and in the more isolated areas of the Backcountry, I and my eight and ten year old sons were elated to have deer eat from our hands during an overnight backpack trip. We met packers on the trail who had to divert from the trail to avoid black bear tenaciously maintaining their positions at berry patches and apple trees. Similarly, other hikers reported having deer hike with them for miles before becoming bored by the sojourn. These experiences are similar to thoserecorded by the early explorers of our state and they exhibit the area's unique wilderness attributes and character.

The Eastern cougar, included on the federal list of endangered species, has been reported to have been sighted repeatedly in the Backcountry. At least five species of birds reach their southernmost known breeding limits in Eastern North America. In the Cranberry Backcountry a number of other birds and several mammals also approach their southern breeding limits in this area, including a vole not previously collected anywhere south of the New York Adirondacks, and the big varying hare of the Arctic.

The internationally famous West Virginia botanist Dr. Earl L. Core lists many northern plant species of the area, several of which occur in their southernmost known colonies here. The United States Forest Service estimates about 4,000 acres of old growth northern hardwoods and spruce exist in the proposed wilderness and are now regaining their early wilderness character.

These unique and diverse varieties of plant and animal life and a chance for solitude in a wilderness environment attract canoeists, backpackers, campers, fishermen, hunters, cross country skiers, biologists, and the general public by the thousands. The United States Forest Service statistics log 14,000 visitor days in 1976 and 31,900 in 1980 in the study area; when the entire Backcountry is included, these numbers escalate to between 50,000 and 80,000. Although the United States Forest Service admits a reliability rating of only five, they use these statistics to determine trends that develop--and here the trend is obvious. However, as one speaker so aptly put it at a public hearing: "You don't count the worth of a wilderness by the number of people who go through it--you do that for highways." It is the aesthetic value of the natural and scenic resources that determines the worth of a wilderness. A vote of confidence in the area's ability to attract tourists was evident in 1967 when the Cranberry Mountain Visitor's Center was built, and it has averaged 17,000 visitors a year since it opened.

The Cranberry and Williams Rivers which border the study area are two of the most popular fishing streams in the state. Cranberry River balances precariously close to an acid pH which would not support the trout that make it so popular. The streams which feed the Cranberry from the study area are all acidic and fall within a pH range of 4.3 to 5.3, depending upon the season. Mining is notoriously known for its contribution to increased acidity of water in our state and would, in all probability, lower the pH of the Cranberry drainage. The famous Cranberry Glades, a refuge of unique plant and animal life since the Pleistocene, may also suffer adverse effects if exploitation of the surrounding area occurs.

The moratorium which prevented mining of the Backcountry in 1977 received more public support than any other issue in our state's history. The United States Forest Service public survey showed 81% of the respondents in favor of wilderness status for the study area. The Governor of West Virginia, John D. Rockefeller, has repeatedly pledged his efforts to prevention of mining in and preservation of the Cranberry Backcountry. A petition to support mining of the area circulated at a large local mine drew only a few signatures. Criticism has been leveled against the restrictive nature of the gated area to the aged. One 76 year-old fisherman I met, who was walking faster than I, summed it up by his statement, "Leave it to the young, that's who it's for--if it's here forever, we'll all get our chance." The paper promise of jobs and money to the area has been made before. The loss of revenue from the 50,000 to 80,000 visitors to the Cranberry, if its environment is altered, is a very real and definite result. The silent majority has stood repeatedly to be counted in favor of this wilderness issue.

I am greatly concerned over the status of the Cranberry Backcountry. As a teacher and youth leader, I appreciate the uniqueness of this area and constantly enjoy, with my students, its rich wilderness experience. I grew up in this area, and I have yearly seen segments of our wilderness eaten away by various industries. I urge you to help preserve this type of environment which is so rapidly disappearing from West Virginia and America. Please assist us in perserving one percent (1%) of our West Virginia heritage at a cost on only .2% of our nation's coal.

Senator WALLOP. Thank you, Mr. Moose.

Ms. Borders.

STATEMENT OF DONNA BORDERS, COUNSELOR, MARLINTON, W. VA.

Ms. BORDERS. Thank you. My name is Donna Borders and I am an Appalachian and come to you today as an Appalachian. My grandfather was a coal miner in northern Kentucky and in the 1940's fled northern Kentucky to buy a farm in southeastern Ohio. In the 1950's a coal company bought the uplands of his farm in Ohio and he had a difficult time explaining to me, his granddaughter, why his drains were filling with silt and why his cows were finding it hard to graze in the stream.

He died at an early age from an illness that my mother ultimately thought resulted from black lung disease. But I grew up with a love of the mountains mostly from the influence of my grandfather and went to school to study natural resources and returned to the Appalachians and finally returned home and got a job in a natural resource agency in Pocahontas County.

I worked there for about 5 or 6 years and then last year changed jobs and now I am a social worker in Pocahontas County. So I have a love for the natural resources in the area and I have a love for the people in the area. And I see the problems that we are facing.

Because the area is absolutely beautiful, it offers a refuge to the people I work with. But at the same time the people I work with need food to put on their tables for their young families. This is not a new problem in Appalachia and it is not a new scenario either.

If we were to give the minerals of the Cranberry back country to be extracted, we would have a promise of a couple of years work in exchange for our nonrenewable resources to be sent out of State and out of country and then our people would be left with no jobs. That is assuming that they are people from Pocahontas County and we don't know that.

As we have also heard today, we don't have that many certified coal miners in Pocahontas County. But what the people I work with do have now is a refuge to them when everything is not going real well. Many of them take their families and go hunting and fishing and their favorite spot is the Cranberry back country.

We need economic development. We stress that we need economic development. We need development that is long-term planning and offers stability, not a deceiving promise of boom and then bust and then hunger again. We need not to be left with the mountain slums of coal country like northern Kentucky and southern West Virginia.

And I wonder if you are familiar with the sites of Wyoming, McDowell Counties, W. Va. and Pike County, Ky. We don't want that any more in Appalachia. The people in Pocahontas County don't want it and I wish the commissioners were here, because they are mistaken.

It would be hard for me to say all of this except for my grandfather's experience and the early personal experience and my love for the mountains and the Appalachian people that I work with.

The Cranberry is already a refuge and it is already a wilderness area. We don't have to make it. It is already there.

If we scar it, we cannot get that back. Mining ventures don't heal and neither do streams. Tea Creek is already dead from the perennial flood wash of red clay from the headwaters cut by the Highland Scenic Highway and it is very close to the Cranberry wilderness area.

I have heard some people who fish it say, some oldtimers who fish it, say they just would not go back there any more, because the Highland Scenic Highway cuts through the headwaters and it creates floods several times a year. So they cannot fish that now. They cannot go back to that part, but at least still they have the Little Fork and the Little Fork drainages. They have the Cranberry Wilderness Area now.

The congressional planning in our area has already been directed at facilitating tourism. I am asking today that we not throw away our history, that we be consistent with our history and development in the area, that we not throw away one stream. We have already built the Highland Scenic Highway. Let us not make that the Highland Mineral Highway. Several million dollars have been spent on that and for what, if it is overlooking a mining bench and gas wells.

We want jobs in our mountains and I believe we can get those in some other way. But allowing the Cranberry to be devastated would offer neither. It would not offer jobs and if it did the price that it would offer for the term that it would offer jobs would not be worth it.

I am asking you today to please support the West Virginia bill. We realize that it is very complicated and there is a lot to go through. Pocahontas County is in support of the Cranberry. It is not just the people from Charleston. It is the people in Pocahontas County and the people who are coming back home to Appalachia who want something to come back to and a quality of life to raise their families on.

Thank you.

[The prepared statement of Ms. Borders follows:]

My name is Donna Borders and that name has special meaning to me today because I an am Appalachian. It was the Border people who dared to live on the edge of the colonist frontier and confront the western savage land in the early 1700's. They settled northern, mountainous Kentucky and lived there until my grandfather fled the coal mines in the 1940's to buy a farm in Southeastern Ohio. In the 1950's a coal company bought the uplands of his farm in Ohio, and he was hard pressed to explain to his young granddaughter why his valley streams were filling with silt, why his farm was drastically changing. He died early, of an illness that my mother feels resulted from working the coal mines in Kentucky.

I grew up with a love of nature and the mountains and later went to school to study natural resources, and finally move back home to the Appalachians working for a natural resource agency in Pocahontas County. Last year I changed jobs - now I'm a social work, and Senators, I know your problem - for now I work with people who need jobs to put food on the table.

But this is not a new problem - nor is it a new scenario. It is a promise of a couple of years work while our nonrenewable resources are being extracted and sent out of state and out of the country, and our mountain refuge is being permanently scared.

But when the people I work with have nothing else - they take their families and go camping, fishing, hunting, and their favorite refuge is the Cranberry Backcountry. The natural environment and our families offer quality to our lives.

We need economic development - but from long-term planning that offers stability, not a deceiving promise of boom and then bust, and hunger again. We need not to be left with the mountain slums of coal country, like northern Kentucky and southern West Virginia.

Except for my grandfathers experience, and my love for the mountains and its Appalachian people I would not have the courage to speak to you today, but I plead with you to listen. The Cranberry is already our refuge - how lucky we are that it does not have to be created, it could not be made again, streams will not heal. Tea Creek is already dead from the perennial flood wash of red clay soil from the headwaters cut by the Highland Scenic or will it be Highland Mineral Highway? Congressional planning in our area has already been directed to facilitate tourism. Lets not throw our planning hsitory in the wastebasket for the sake of an inferior scheme. We Appalachians want jobs and our mountains. Allowing the Cranberry to be devastated will offer neither. Please support this West Virginia Wilderness Bill.

Senator WALLOP. Thank you, Ms. Border.

Natalie Austin.

STATEMENT OF NATALIE AUSTIN, COOWNER AND COMANAGER, MARLINTON MOTOR INN, MARLINTON, W. VA.

Ms. AUSTIN. Mr. Chairman, my name is Natalie Austin. I reside in Marlinton, W. Va., in Pocahontas County.

My appearance before this committee today is for the concerned citizens of these United States, the State of West Virginia and for the citizens of Pocahontas County of West Virginia, which is the princess of the Potomac Highlands, and myself as a business person who wants the Cranberry wilderness country to remain forever wild.

Each year thousands of people leave the cities here in the East and flock to our area to relax and enjoy one of the few natural unspoiled splendors that still exist. Our West Virginia coal miners who must live in the coal mining areas of West Virginia will be the first to tell you that they hook up their campers, pack up their families and head for the Cranberry back country to fish and to hunt, to live in the cool, cool mountains for a breath of unspoiled surroundings not yet destroyed by man or by machine.

This area, which lies within easy reach to three-fourths of the population of this United States, is only one-half day's drive and at the most takes only one full tank of fuel and must not be destroyed. The amount of employment gained would never offset the losses to our people, nor would it match the business now received through tourism which employs many people in our area.

It also brings much needed money that turns over as much as seven times within the State and community of which we live. We in our business spend thousands of dollars each year to promote the tourism industry to increase the flow of traffic to this area of the Cranberry back country.

People from not only these United States but from all over the world flock to this area and tell us not to ever allow this beauty to be disrupted.

Our own Governor Rockefeller who supports this bill for which we are here states that travel is one of the two growing industries in the State of West Virginia. Oil and gas is the other. Tourism is the second largest employing industry. Employment figures show 45,000 travel and 50,000 for coal. And tourism is a $1.3 billion business in West Virginia.

Our latest travel industry study sales in the Potomac Highland Travel Council region, where we are, increased from 74.9 million in 1979 to 102.2 million in 1980. That is a whopping 36-percent increase. The State as a whole was up 21 percent due to travel.

In our nine-county region of the Potomac Highland Travel Council, 4,041 jobs were provided by the tourism industry which generated $25.2 million in wages and salaries. Pocahontas County which is the center of and contains the Cranberry Wilderness Area enjoyed the greater percentage of the growth of the Potomac Highland Travel Council.

Gentlemen, this is the result of promoting the unspoiled beauty of our land where other industries do not exist. We have been in the motel business for the past 15 years in Pocahontas County, W. Va. We employ at this time 38 full-time employees with another 10 on part-time as business warrants.

We are members of the Potomac Highland Travel Council which promotes tourism, a member of the State and National Restaurant Association, which promotes and relies on tourism and prior to that worked with related industries that relied on tourism for their business input.

This year we had visitors staying with us from European countries of England, France, Germany, Italy and Switzerland and with the International Geological Society who related to us that this area is one of the most interesting places that they had visited.

Another group from Europe and Australia with the International Botanical Society, of which our American friends hosted, told us the Cranberry area is unmatched to any other place that they have visited and they plan to return in the future with students from their respective areas.

We have had travelers from all 50 States and Canada as well as South America motoring through this area and have stayed on for 2 or more days to feast upon the unspoiled land after learning of it through our employees and the literature that we have mailed or have available.

Gentlemen, we thank you for this opportunity to present our statement to you on the preservation of the Cranberry wilderness bill, H.R. 5161, and ask that this committee support the same that it may be credited with helping preserve the rights of our peoples to enjoy one of the few freedoms of exploring and enjoying the wild, wonderful West Virginia Cranberry wilderness area.

Senator WALLOP. Thank you, Ms. Austin. Is Mr. Hankerson with you?

Ms. AUSTIN. Yes.

Senator WALLOP. I was looking and I have got two more witnesses. Mr. Hankerson, did you have a statement?

STATEMENT OF CHARLES HANKERSON, COOWNER AND CO-MANAGER, MARLINTON MOTOR INN, MARLINTON, W. VA.

Mr. HANKERSON. Honorable Senator from Wyoming, we appreciate appearing before this Committee and I thank you.

My prepared statement is to back up Ms. Austin's. I regret that the Pocahontas County Commission has left this hearing and I am glad that we are last. First of all, he failed to take into the reality of the input of business that we have received from tourism in Pocahontas County that will more than offset the amount of revenue which they are now receiving from the coal reserves. Snow Shoe Ski Resort, which is now in the building stages, will have more than $60 million worth of insurable property on the Snow Shoe Mountain this winter, which they will receive full tax revenues from.

The taxes that all of our allied businesses in Pocahontas County and all of the residents, the lodging industry, the drycleaning establishments, the drugstores, the doctors, the hospitals and the service stations, all are receiving income from the tourism industry. With the Pocahontas and the travel industry in this area, I will say that they have overlooked the input that tourism brings into our area and it would more than offset their losses in the Cranberry back country being retained. Thank you.

Senator WALLOP. Is there a local chamber of commerce that has expressed support?

Mr. HANKERSON. We have a local chamber of commerce and they have fully realized what the economic impact of tourism has been in the area.

Senator WALLOP. But has the chamber taken any position?

Ms. AUSTIN. We are not aware of it.

Senator WALLOP. Thank you very much.

Mr. Evans.

STATEMENT OF RICHARD T. EVANS, JR., HILLSBORO, W. VA.

Mr. EVANS. Thank you, Mr. Chairman. I was a little disappointed earlier today to hear that the Forest Service representative decided after 4 years they were no longer in favor of us as they were 4 years ago. And my disappointment has convinced me of a need to have congressional action in this area so that this sort of issue cannot continue and will be settled one way or the other.

My statement is more of a personal one than a political one and I am not really representing any constituency except maybe an unidentified backpackers' fraternity. I have no expertise in anything other than my love for the wilderness. And I speak of values which are difficult to express or to define. Thoreau said that "In wilderness is the preservation of the world."

And in our own time Justice Douglas has admonished us that "Today we look backward to a time when there was more wilderness than the people of America needed. Today we look forward to a time when all the wilderness now existing will not be enough."

For nearly all of my 50 years I have been a backpacker and wilderness traveler, having hiked many miles in the Appalachian Trail in the east and also on the west coast, specifically the Pacific Crest Trail area. In other words, I have a selfish and personal interest in seeing the Cranberry preserved as wilderness.

Saying this, I realize, as the others who have testified before you today, have pointed out that there are other personal interests that are different from mine. It is your job as our elected representatives to justly resolve these differing interests. I know there are legitimate economic rights of others to be considered and that there are no easy solutions for these hard problems.

I hope only that you deliberate with informed seriousness and a commitment to lasting values rather than temporary gain, in favor of the spirit, if you will, rather than the marketplace. It is this sort of view to the future which prompted Abraham Lincoln in 1864 to protect Yosemite Valley from commercial exploitation or it might be today merely a granite quarry rather than the most awesomely beautiful valley in America.

As a child growing up in a coal camp at the head of Cabin Creek, in a family of coal miners, I saw firsthand what unbridled extractive industries can do. I now live in Pocahontas County within a stone's throw of the Cranberry back country and I would be greatly disturbed to see it similarly spoiled. I hope you will find in favor of wilderness by putting these lands in trust so the future generations can enjoy the interest while leaving the principle untouched.

Senator WALLOP. Thank you, Mr. Evans. That was a most eloquent statement.

Mr. McNeel.

STATEMENT OF WILLIAM P. McNEEL, EDITOR, POCAHONTAS TIMES, MARLINTON, W. VA.

Mr. McNEEL. Thank you, Mr. Chairman. First, my appreciation for the hearing. We do appreciate your scheduling it. I am William Price McNeel. I am a resident of Marlinton, W. Va. I am editor of the Pocahontas Times, a weekly newspaper published in that community and the only newspaper in the county.

I am not sure whether being last is an honor or not, but I guess I am. I will digress from my prepared statement and I want to comment a little bit on some of the statements that have been made earlier, particularly of our county officials, and I notice, like others, that they do not have the courtesy to stay to hear citizens of their own county speak on this issue.

They know how I feel. They may not have heard——

Senator WALLOP. Mr. McNeel, they can speak for themselves, but it would be unfair to have the record reflect that. There are a lot of them still in the room, so I think it is not particularly fair to make that statement.

Mr. **McNeel**. I believe it. I will comment on—I speak here in several forms. One is as a business person in the county, obviously a newspaper prospers as the county prospers. I am interested in the economics of the county. A comment on the claim of jobs, Ms. Evans commented on it already. There are so-called 300 mining jobs and 150 timber jobs, should these mines happen.

It has been pointed out very few, if any, of the jobs would go to the Pocahontas County residents. We have no pool of miners, having no coal mines in the county at the present time and only have had a very few in our history. Timbering jobs, at the present, as already has been pointed out, there is not sufficient demand for the timber that is already being produced in the forest without even considering the timber from the Cranberry area.

As was pointed out the Forest Service has had sales but there have been no bidders. There is not a demand for the timber. I don't know where these jobs are coming from. In terms of the tax loss, the assesor says it is a figure of $27,000 that the county gets from the CSX Corp. I will take his word for it. I have not checked it out.

The county is not in a dire financial situation. The county commission, it has already been pointed out by the folks from Marlinton Motor Inn, the growth of Snow Shoe, every year we receive an increase in our tax base that brings in more taxes than the $20,000 we would lose should the minerals go into Federal ownership.

The Snow Shoe complex is more than making up for this loss. Ironically, Pocahontas County is better off financially than, say, for, example, Webster County due to the fact that we have a large percentage of Federal land in our county due to the hilt payments. Webster County does not have a large amount of Federal lands and sort of ironically as long as the hilt program continues, which I urge of course, we are better off than other counties.

I will tell you for the benefit of the people of Webster County who are not aware of how much of the Cranberry back country wilderness proposal area is, around 3,000 acres are in Webster County and the remainder is in Pocahontas County.

There was as far as the mining of the coal, there was testimony in January concerning the problems of mining this coal, even if the area is thrown open to mining. There have been companies that have attempted to mine coal in a close-by area and found it to be impossible and go bankrupt.

Mr. Helmick mentioned these wealthy folks are the only people that come in and use these areas. Well, I would think the hundreds of West Virginian citizens would be happy to know that they are among the wealthy elite. The Cranberry country is used by the wealthy, true, but also by those with moderate incomes and the lower incomes.

Hiking is one of the most economical forms, of course, of recreation that there is. I was interested in Mr. Dietz's comments on the Izaak Walton League and in their opposing wilderness status. About two years ago I was at a meeting of the board of directors of the Izaak Walton League and they voted in favor of the wilderness proposal. So who knows where the Izaak Walton League stands.

I question the statement about the Marlinton Chamber of Commerce, as the folks from the Motor Inn pointed out, they are not aware of Mr. Dietz's comment that the chamber of commerce was supporting the action of the Richwood Chamber.

My paper is a member of the Marlinton Chamber of Commerce and I am not aware of any opposition that the Marlinton Chamber has gone on record against the Cranberry wilderness area.

As to the business of exporting jobs, should the minerals exchange take place outside of the State, I cannot see how jobs can be exported. It is true we have miners unemployed in other counties, Webster County, Nicholas County and other counties, but they are unemployed not because of lack of demand. If there was a demand for coal these people would be going to work immediately. The coal is there.

Of course, it has already been commented upon, the small percentage of coal, two-tenths of one percent, of similar coking coal is in the Cranberry country, but it is a very minor part of our State's resources. The same for timber, in Pocahontas County, for example, the Cranberry area the proposal makes up some 6 percent of the forest land in the county, about 11 percent of the national forest land and 6 percent of the total forest land in the county. The loss of this amount of acreage is not going to be a crushing blow to our timber industry, since they are not using the production available on the rest of the national forest on private lands which are within the county.

Most everything I would say has already been said. I am speaking, one thing I do want to comment on, speaking here also as a historian and a student of the history of Pocahontas County, we in Pocahontas County have heard all of this before about jobs and taxes and that we would all be wealthy and et cetera, et cetera, about 80 years ago with the timber industry.

We did get some sawmills. They were going to make everyone rich, the county rich. But in about 25 years the entire county was cut over and the sawmills were gone. The jobs were gone. The tax base was gone. The profits never have come to Pocahontas County. We were left, the whole county had been cut over and burned over.

Fortunately, in this State, of course, the land was there and the forests have returned helped by mother nature and the work of CCC men in the 1930's, in particular. Should mining occur to be the same, few jobs perhaps, with most of the jobs going to people out of Pocahontas, some money for a few years, but the profits would again go elsewhere.

The cyclical nature of the mining industry would cause ups and downs and in a few years we would be right back. The mines would be gone with an unlimited effect on the land, on our greatest resource.

I speak most importantly though in favor of the proposed Cranberry wilderness area, first, from the point of view as a lover of our streams and hills in the county. That is a personal statement. I feel this talk of the taxes and the debate whether it is tourists jobs or the importance to the tourist industry, which has been touched on, and I will not go into that again, but it is a very important industry in our county. But enough talk on this, I think the most important reason for the creation of the Cranberry wilderness area is far more important than such self-centered concerns, jobs and taxes.

Quite simply the formation of the Cranberry wilderness area is the right thing to do. It is right because we need such areas for the sake of our spirits, even if we never have the opportunity to spend time in the splendid isolation of nature. It is right to set aside the area where the course of nature can interact without interference of man.

Wilderness is needed to remind us that we too are a part of nature and not above their laws. We are all too often reminded of this fact through the creation of an environmental disaster. Instead of taking time to observe nature and to learn her laws. It is right to set aside such an area that future generations of Pocahontas County people and West Virginians can know our mountains as they were when only God was taking care of them.

My young son made his first trip to the Cranberry back country when he was 9 months old on his father's back. I hope that he will still be able to go into this area when he is my age because we had the foresight to preserve this area as wilderness in 1982.

My roots go deep in Pocahontas County and the Cranberry country. Many members of my family are still farming the land where the first of the McNeel Clan settled in what is now Pocahontas County some 217 years ago. Some of my forebearers own part of the land that is now in the study area and they use the land and do not destroy it.

My mother's father, the long-time editor of the Pocahontas Times, was noted for his work in conservation and spoke many years through his newspaper of the need to leave some of the land in its natural state for future generations to enjoy.

I feel certain that future generations will condemn us if we do not take the opportunities we have now to create the Cranberry wilderness area as part of our legacy to them. In brief, the Cranberry country is part of my birthright and I do not wish to have it sold for a mess of pottage. So I urge support of the House bill 5161.

Thank you very much.

[The prepared statement of Mr. McNeel follows:]

The Pocahontas Times, William Price McNeel, Editor

Marlinton, W. Va. 24954

My name is William P. McNeel. I am a resident of Marlinton, Pocahontas County, West Virginia. I am the Editor of The Pocahontas Times, a weekly paper published in Marlinton and the only newspaper in Pocahontas County.

I am here today to speak in favor of the bill recently passed by the House of Representatives, House Bill 5161, to create three wilderness areas in West Virginia - Laurel Fork North, Laurel Fork South, and Cranberry. These are three of the four areas in the state recommended by the Forest Service for wilderness status. I will speak particularly about the proposed 35,550 acre Cranberry Wilderness Area as all but about 3000 of its acres are in my home county of Pocahontas.

I believe, speaking as a Pocahontas County businessman, a student of the history of Pocahontas County, and as a lover of its mountains and streams, that the creation of the Cranberry Wilderness Area is in the best interest of the State of West Virginia and Pocahontas County, particularly from the viewpoint of the generations to come.

The State of West Virginia has a long, dismal history of not planning for the future. The story of the development of the various resources of the state has consisted, for the most part, of the worship of the gods of jobs, taxes, and profits and of the exploitation of one resource without considering the effects on other assets. Very rarely has thought ever been given to the future.

In the Cranberry area we have an almost classic and unfortunate conflict between resources. On the one hand we have an area of unique beauty and ecological attributes that indicate that it should be protected so present and future generations can enjoy its solitude as a relief from the pressues of modern life. On the other had this area also encompasses coal deposits and valuable timber growth, as well as the possibility of natural gas. The existence of the coal and the possible natural gas adds the factor of the energy crisis now facing our nation into the decision making process.

A decision has to be made and made soon as to the best and highest use that should be made of this land that is proposed as the Cranberry Wilderness Area. I urge that as we make this decision we think not only of immediate benefits but think also of the future and future generations.

The major arguments against the wilderness designation for the Cranberry area ase that mining, timbering, and other development would be prohibited. It is claimed that this means the loss of potential tax revenue and employment for Pocahontas County. The need for the coal and gas as our nation strives for energy self-sufficiency is also given as a reason for opposition.

Let us put this last argument in perspective first. The coal in this area, some 100,000,000 tons, of which about 18,500,000 tons can probably be recovered, is only 0.2% of the supply of similar coal in West Virginia. This is hardly an amount that will solve our nation's energy needs. Also there are known and unknown geological problems associated with these coal deposits which might well hinder their successful mining. Recent new mines in an adjoining county are running into geological difficulty.

As for the possibility of natural gas production in the area, a recent report by the Department of the Interior states that this is remote and virtually no chance for oil.

I cannot deny that mining would no doubt provide some jobs and an amount of tax revenue for Pocahontas County. But before we run to embrace the mining of this coal as an economic bonanaza for the County I have to remind the people of my home county to look back at our history. We have heard these promises before! Some 80 years ago the lumber industry was to supply jobs and taxes, and make everybody rich. True, the lumbering did give employment and tax revenue, for a time, but the wealth and the profits went elsewhere and after about 25 years we were left holding a bag of cut and burned over land. But at least the land was left and the forests have returned, thanks in a great part to the work of the CCC men and the healing power of nature. The Cranberry area is superb evidence of this. With mining it would be the same - - a few jobs and some tax money, but again the profits would go elsewhere and in relatively few years the mines would also be gone with an unknown effect on the land , our greatest resource.

The timber loss I personally consider more important as today's more responsible lumber industry of Pocahontas County is a stable provider of employment and taxes. But again, we must put things in perspective. The proposed wilderness area represents only about 11% of the Forest Service land in Pocahontas County and about 6% of the total forest land in the County. Setting this amount of land aside not to be timbered if the wilderness area is created would hardly be a death blow to the industry. At the present time the Forest Service is not selling all the timber that it could on the remainder of its land in the County.*

I am often irrited when those of us who favor wilderness status for the Cranberry are accused of being selfish and wanting to "lock up" the area so it cannot be "used." I assume that in the minds of these critics the only uses of this land are timbering and mining. They forget that watershed protection, wildlife habitat, hiking, hunting, fishing, nature study, and camping are also uses of national forest land. We cannot "multiple use" every square inch of our national forests - we must decide on the best and highest use of the various units that make up each forest.

Let me move on to more positive reasons for believing that the wilderness proposal is the highest and best use for the Cranberry country.

---

* Let us keep in mind that if the Cranberry Wilderness Area is created, the coal and the timber will still be there - they are not going anywhere. If our nation ever needs these resources, Congress can always change the law to allow their production.

Watershed and Wildlife: Pocahontas County is known as the Birthplace of Rivers as eight of West Virginia's rivers have their sources in the County. It is vital to protect the headwaters of all these streams - watershed protection was, of course, one of the reasons for establishing our national forests in the first place. The streams flowing from the Wilderness Study Area are high quality ones but with a natural acidity. The risk to them by mining or even timbering is too great to be allowed.

The Study Area is within the Black Bear Sanctuary that has been established by the State of West Virginia where bear hunting is not allowed. The closing of the Cranberry country to motor vehicles almost fifty years ago has given it an isolation that has made it a very important area for the breeding of the black bear as well as for the wild turkey and other wildlife. This isolation would be ensured by the creation of the Cranberry Wilderness Area.

Recreation: The Cranberry Wilderness is needed to help fill the recreational needs of our increasingly urbanized society. The demand for and use of wilderness areas is growing and should continue to grow as we look for recreational activities less dependent upon the ever increasing cost of operating motor vehicles. The Cranberry area has been rated by the U. S. Forest Service to have wilderness attributes exceeded by only one of the 55 areas that were recently studied for wilderness in the northeastern United States and there are only three other areas with equally good ratings. Most of the population of the country is in the east while most of the existing wilderness areas are in the western U. S.

From a local viewpoint the Cranberry Wilderness Area would add a needed dimension to the tourist potential of Pocahontas County. We already have a good number of developed tourist attractions including four state parks, two state forests, and the Snowshoe Ski Resort. Like many residents of the County I have varied emotions about tourists, but, regardless of whether we want them or not, they have been coming and will continue to do so. With proper planning and control tourism can be a major and stable source of jobs and taxes. The industry is already big in the County. I don't have any recent data but a report from West Virginia University about five years ago estimated that 564 jobs and $2.7 million in wages came from tourism in Pocahontas County. A large amount of the County's property tax now comes from Snowshoe and this is growing yearly. The wilderness area would give us an outstanding attraction at the other end of the developmental scale. Tourist jobs may not pay as much as mining jobs but they will be with us a lot longer.

But enough talk of taxes and debate on whether it is tourist or mining jobs that Pocahontas County needs. I feel the most important reason for the creation of the

Cranberry Wilderness Area is far more important than such self centered concerns. Quite simply, the formation of the Cranberry Wilderness Area is the right thing to do. It is right because we need such areas for the sake of our spirits - even if we never have the opportunity to spend time in the "splendid isolation" of nature. It is right to set aside areas where the forces of nature can interact without the interference of man. Wilderness is needed to remind us that we too are part of nature and are not above her laws. We are all too often reminded of this fact by the creation of an environmental disaster instead of taking the time to observe nature unmolested and to learn her laws. It is right to set aside such an area so future generations of Pocahontas County people and West Virginians will know our mountains as they were when only God was taking care of them. My young son made his first trip into the Cranberry country when he was nine months old, on his father's back. I hope he will be able to still go into this area when he is my age because we had the foresight to preserve this area as wilderness in 1982.

My roots go deep into Pocahontas County and the Cranberry country. McNeels are still farming the land where the first of the clan settled in what is now Pocahontas County 217 years ago. Some of my forebears owned part of the land now in the Study Area and they used the land and did not destroy it. My mother's father, long time editor of The Pocahontas Times, was noted for his work in conservation and spoke many years ago in his paper of the need to leave some of the land in its natural state for future generations to enjoy. I feel certain that future generations will condemn us if we do not take the opportunity that we now have to create the Cranberry Wilderness Area as a part of our legacy to them. In brief, the Cranberry country is part of my birthright and I do not wish to have it sold for a mess of pottage.

Statement before the Public Lands and Reserved Water Sub-committee of the Senate Energy and Natural Resources Committee on August 11, 1982

Senator **Wallop**. Thank you, Mr. McNeel. I would say that jobs and taxes may indeed be a self-centered concern, but they are a good deal more easily characterized as that if you have one and pay some than they are if you are out of one and——

Mr. **McNeel**. I, of course, pointed out I am obviously very widely concerned with the economy of the county, because if it falls I fall. I just don't believe that this mining is going to bring us any jobs.

Senator **Wallop**. Let me say this that I think it is unfair to characterize the problem here as only something between total preservation and rape. It has existed and has been managed well and has been the reach of the State to manage it the same way. The State placed the moratorium on it.

Mr. **McNeel**. It has expired now.

Senator **Wallop**. But it is within the reach of the State to do that under the Surface Mining law and others. And I know only too well about hilt. My State and other westerners on this committee have been fighting a gradually losing battle to maintain hilt. It is not as good as it was and it is not going to be as good as it is.

Mr. **McNeel**. Any hilt we can give you we will.

Senator **Wallop**. There are a lot of you around and we will count on you as allies, but the problems that have been raised here are difficult ones, which is no reason not to try to tackle them, and I don't mean to imply by stating that they are difficult that we will not, but there is elbow room and there are options that may or may not influence wilderness.

I have not made up my mind and it is not mine to make up anyway. It is ultimately the full committee's. We will gather up some further information on it.

Just for the record, nobody has stated it, but I think it would be interesting if the record would show why it is called Cranberry.

Mr. **McNeel**. Due to the existence of the Cranberry Glades and I think Mr. Moose, of course, is a biologist, but it is, we have an area that is called the Cranberry Glades, which is called the Cranberry Glades because cranberries grow there. And from the Glades is the river, the Cranberry River and so the whole area. The Cranberry Glades themselves, which actually are not involved in the wilderness area but border on it are, what do they call it a biological area, and it is already protected.

It is an extremely unique area which somebody that is more knowledgeable in biology can speak on than I, better than I. But that is the reason for the name.

Senator **Wallop**. And is hunting permitted?

Ms. **Borders**. Hunting is permitted in the entire area.

Mr. **McNeel**. Bear hunting is prohibited. There is a black bear sanctuary, but other than that hunting is permitted.

Ms. **Borders**. You are familiar with the botanical area that is adjacent to the Cranberry back country. It draws many botanists from different areas of the country.

Senator **Wallop**. There is always something to learn. Growing up in Wyoming, I was always told that cranberries either grew in Massachusetts or in Washington State. Is there—this is totally irrelevant to the issue before us—is there a cranberry harvest that takes place?

Ms. **Borders**. In the early 1900's there was a cranberry harvest. But it is a cranberry vine not a cranberry bush. The cranberry vine is similar to those harvested in New Jersey and the Eastern United States.

Mr. **McNeel**. It is really not a big enough area to have an industry or anything.

Senator **Wallop**. I want to thank you all for coming here. It is a goodly trip and it is a topic that obviously raises concern and passion, and well it should. It is a very special area. We will work on it and see if there is some resolution to the complicated problems with exchange.

I think it was a member of the last panel who said that problem had been resolved, the problem of private minerals has been resolved to the extent that somebody has tossed it over into another lap to resolve. It is not easy but we will search for that resolution and will try to search for some resolution for the county's problems as well.

I appreciate you all being here and the obvious care that you have for the area, which brought you here.

With that, the subcommittee stands adjourned.

[Whereupon, at 4:50 p.m., the hearing was adjourned.]

APPENDIX

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

MARK O. HATFIELD, OREG., CHAIRMAN

TED STEVENS, ALASKA
LOWELL P. WEICKER, JR., CONN.
JAMES A. MC CLURE, IDAHO
PAUL LAXALT, NEV.
JAKE GARN, UTAH
HARRISON SCHMITT, N. MEX.
THAD COCHRAN, MISS.
MARK ANDREWS, N. DAK.
JAMES ABDNOR, S. DAK.
ROBERT W. KASTEN, JR., WIS.
ALFONSE M. D'AMATO, N.Y.
MACK MATTINGLY, GA.
WARREN RUDMAN, N.H.
ARLEN SPECTER, PA.

WILLIAM PROXMIRE, WIS.
JOHN C. STENNIS, MISS.
ROBERT C. BYRD, W. VA.
DANIEL K. INOUYE, HAWAII
ERNEST F. HOLLINGS, S.C.
THOMAS F. EAGLETON, MO.
LAWTON CHILES, FLA.
J. BENNETT JOHNSTON, LA.
WALTER D. HUDDLESTON, KY.
QUENTIN N. BURDICK, N. DAK.
PATRICK J. LEAHY, VT.
JIM SASSER, TENN.
DENNIS DE CONCINI, ARIZ.
DALE BUMPERS, ARK.

J. KEITH KENNEDY, STAFF DIRECTOR
THOMAS L. VAN DER VOORT, MINORITY STAFF DIRECTOR

United States Senate
COMMITTEE ON APPROPRIATIONS
WASHINGTON, D.C. 20510

August 3, 1982

AUG 10 1982

Honorable James A. McClure
Chariman
Committee on Energy & Natural Resources
United States Senate
3106 Dirksen Building
Washington, D.C.

Dear Mr. Chairman:

Enclosed, please find a copy of a letter from Mr. Bob M. O'Dell, President of the Nicholas County Commission along with a copy of a resolution from the Richwood County Chamber of Commerce with regard to designating the Cranberry area as a wilderness area.

I am forwarding the aforementioned in order that it might be a part of the official record of H.R. 5161.

With kind regards, I am

Sincerely yours,

Robert C. Byrd
Robert C. Byrd

SENATE COMMITTEE ON
ENERGY AND NATURAL RESOURCES
RECEIVED
AUG 10 1982
WASHINGTON, D.C. 20510

RCB:bj
Encl.

NICHOLAS COUNTY COMMISSION

SUMMERSVILLE, WEST VIRGINIA 26651

TELEPHONE (304) 872-3630

BOB M. O'DELL, President
SHIRLEY J. CUTLIP, Commissioner
CAROLL T. LAY, Commissioner

County Commission Sessions:
Every Wednesday

July 23, 1982

ROBERT C. BYRD
RECEIVED
[illegible]
UNITED STATES SENATE

The Honorable Robert C. Byrd
United States Senator
133 Russell Senate Office Building
Washington, D. C. 20510

Dear Senator Byrd:

This is to advise you that the Nicholas County Commission unanimously supports the endorsed resolution adopted by the Richwood Chamber of Commerce on June 7, 1982, regarding the "Cranberry Back Country" concept.

Your assistance in bringing this concept into being will be greatly appreciated.

Sincerely,

Bob O'Dell

Bob M. O'Dell, President
Nicholas County Commission

BMO/pn

enc: resolution

On June 7, 1982, the Richwood Chamber of Commerce, considering the present posture of the "Cranberry Back Country" problem, and after a full discussion of the same authorized the adoption of the following resolution:

RESOLUTION

Whereas, the Chamber of Commerce, the people of Richwood, and the people of surrounding counties as well have observed, understood and supported the "Back Country" concept as a management policy for more than fifty years, for a variety of commendable reasons, some of which are as follows:

1. This concept permitted the Forest Service adequate flexibility to successfully implement true multiple use of the area.
2. This concept permitted the development and application of techniques designed to enhance plant and animal life.
3. This concept permitted indeed encouraged, the creation of a diversity of habitat for wild life and plant life.
4. This concept permitted the management of timber stands in such a way as to accomplish the above objectives, and at the same time reduce the pressure of industry to harvest excessive timber in other choice areas, and,

Whereas, the action of the United States Congress in which the area was designated as a study area has frozen all development, as well as any and all plans for development of the area; and,

Whereas, legislation has now passed in the House of Representatives which designates the area as a Wilderness Area; and,

Whereas, the designation of the Cranberry Back Country as a Wilderness Area would be detrimental to the area itself; to industry, and to the people of the City of Richwood and surrounding counties for a variety of reasons, some of which are as follows:

1. Diversity of wild life would be threatened under strict wilderness management.
2. The prohibition of timber harvesting not only places excessive pressure on adjoining harvestable areas, but also will inevitably lead to the destruction of the wide variety of plant and animal life now apparent in the area.

3. The entire area will eventually be taken over entirely by a few predictable dominate species of trees, thereby destroying turkey brood ranges, browse for deer, and the currently existing diversity of plant and animal life.

4. The widerness area designation automatically imposes harsh and unduly restrictive rules and regulations which would do considerable damage to the ecological balances needed for a diversification of uses.

BE IT THEREFORE RESOLVED that the Richwood Chamber of Commerce urges that the following actions be promptly taken:

1. That the United States Forest Service withdraw its approval of Wilderness Status for the 35,000 acre Study Area located in the Cranberry Back Country.

2. That the said United States Forest Service formulate plans to develop the Cranberry Back Country consistent with the "Back Country" concept generally applicable over the past fifty years in that area, and urge the adoption of the plan by the Congress of the United States.

3. That such plans envision multiple use, encouragment of the development of plant and animal life; limited access, and moderate harvesting of timber and mineral extraction or drilling under strict regulations designed to guarantee an enviroment compatible with the concept of multiple use.

The foregoing Resolution was adopted by the Richwood Chamber of Commerce in a general meeting held on the 7th day of June, 1982.

H. H. Spencer

H. H. Spencer, Jr.
President

ATTEST:

Secretary

Statement of John W. Snow, Senior Vice President CSX Corporation, Concerning H.R. 5161, to Exchange The Cranberry Wilderness
Before the Committee on Energy and Natural
Resources, U. S. Senate
August 11, 1982

Mr. Chairman,

Thank you for allowing me the opportunity to testify in support of H.R. 5161, which has passed the House and would provide for the exchange of privately held mineral interests in the Cranberry Wilderness so as to equitably resolve this long-standing matter. This bill offers the Congress the opportunity both to preserve a unique wilderness area and to rectify a very unfair situation for the CSX Corporation.

The Cranberry Wilderness is an area of about 36,000 acres in West Virginia that has been widely recognized by environmental groups and public officials for its unique environmental characteristics. As part of the larger Cranberry Back Country, the wilderness has been closed to public motor vehicles and managed by the Forest Service to preserve its natural values since the 1930s. It is part of one of the largest undeveloped forest areas in the eastern United States. In 1975, the Congress designated the Cranberry as a mandated wilderness study area.

The CSX Corporation, through one of its subsidiaries, owns the mineral rights in the Cranberry Wilderness, including extensive coal deposits along with other resources. These interests were owned long before there was any government interest in the surface area. For nearly a decade, because of federal and state restrictions, we have been unable to mine that coal despite our efforts to do so. In fact, we had arranged a long-term lease for mining the coal in the mid 1970s, but had to cancel that effort because of the restrictions. During that same time, however, we have not been paid any compensation for these substantial holdings and we have certainly not been paid for what is essentially a taking of private property.

Over the years we have come more and more to appreciate the natural wonders of the Cranberry, but simple fairness, as well as basic constitutional principles, dictate that we be compensated for not being able to recover our minerals.

H.R. 5161 does much to rectify the situation, both in terms of preserving the Cranberry for future generations and also in terms of taking us out of limbo. We believe it provides a mechanism for an equitable exchange. Although the bill does not identify the federal lands to be exchanged, it is our anticipation that such interests will be in the eastern half of the United States where CSX primarily operates.

We certainly support the concept of the bill. It could be significantly improved, however. Exchanges of lands can take time. Because of this, our first preference has to be for a cash sale. Obviously, this approach would eliminate a great deal of complexity since we would only have to establish the value of our parcel and would not have to investigate and place values on several other parcels that might be exchanged.

Even if the bill does not mandate a cash payment, at least it should provide for an optional cash buy-out if the Secretary of the Interior decides it is in the best interests of the government to proceed in this manner. It really makes no sense to deny the Secretary such discretion. The bill should also provide at least discretionary authority for the Secretary to offer us bidding rights on other federal properties in exchange for our parcel.

This is our main concern, but we would like to suggest several other issues. The bill provides that the Secretary initiate negotiations within ninety days of the passage of this legislation. Frankly, we have waited almost a decade to resolve this matter, and we believe that the Secretary should begin negotiations within thirty days of passage. We've already been in discussions for several years and we want to settle this matter as quickly as possible.

The bill requires the Secretary to identify one site for exchange. One site may not be enough and we would suggest that the Secretary identify at least three or four sites. We don't want to make tests on one site and then find it unsuitable and have to go to another site. Again, the Secretary is given six months to make such identifications, and this time period should be reduced.

Once the identification is made, the bill allows the Secretary to contract with us to do the evaluations, but payment for this work is not made until the actual exchange is made. This seems unfair, and we would suggest a more equitable solution would be to pay us immediately after the work is done. Also, if the Secretary decides to do his own evaluation, we think the legislation should allow us reasonable access to the property to verify the data. An additional point is that the evaluations of the properties don't have to be completed until one year has elapsed from the property identification and the identification does not take place until six months after passage - - in total, a one and one-half year process. Certainly, this could all be completed within one year.

Provision is made for some cash payment in case the properties to be exchanged are not of equal value. The problem here is that the cash payment -- either to the government or to CSX -- cannot exceed 10 percent of the value of the leases exchanged. It may be difficult to arrange an exchange so close in value. Clearly, we want to preserve the whole of Cranberry and this means we have to find a parcel of just about equal value. This simply may not be possible. What happens if the parcel we identify for exchange turns out to have more mineral resources than we anticipated? To facilitate the exchange, we are prepared to pay the difference but the 10 percent limitation does not seem to allow for this contingency. This legislation should try to anticipate what can reasonably happen. It is in no one's interest to go through a three-year process only to find that the exchange cannot be accomplished because of an unnecessary limitation.

As a final matter, the bill only provides for the exchange of mineral interests. We believe that it would be appropriate to allow other interests of the federal government to be exchanged. The Administration is now working on a program to sell surplus federal lands, and we believe that it would be beneficial to all parties if some of these lands could be made subject to exchange.

These are our concerns. I would stress that we support the legislation and stand more than ready to work out the details. All of the changes we suggest are designed to expedite and facilitate realization of the legislation's key objective: establishing the Cranberry as a permanent wilderness with equitable, constitutionally mandated, treatment of the private interests.

If you have any questions, I would be happy to answer them.

* * * * * * * *

CSX
Corp

1500 Federal Reserve Building
Richmond, Virginia 23219
(804) 782-1434

JOHN W. SNOW
Senior Vice President
Corporate Services

August 10, 1982

The Honorable
Malcolm Wallop
Chairman
Subcommittee on Public Lands
and Reserve Water
Committee on Energy and
Natural Resources
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

There is one point in the statement submitted by CSX Corp., in support of H.R. 5161 which I would like to amplify. In the statement, we stated that CSX would much prefer that mineral rights to be exchanged for our rights in the Cranberry Wilderness lie in the Eastern part of the United States. One of the reasons for our original interest in the coal lands in the Monongahela National Forest is that they lay within the area served by the CSX railroads. It is, therefore, preferable to us that rights to be exchanged be in the States served by the CSX rail subsidiaries, all of which States are East of the Mississippi. We would certainly support any amendments to the pending bill which would make this explicit in the law. For example, language limiting the rights to be exchanged to rights in lands "East of the 100th Meridian" would be perfectly acceptable to CSX.

If we can provide any additional information to you or your staff as you consider this legislation, please do not hesitate to call on Woody Price, CSX Vice President-Government Relations, at 202/783-8124.

Thanks for scheduling a hearing on a bill which is of great importance to CSX Corporation. We hope it will be favorably acted on by your Subcommittee in the near future.

Sincerely,

John W Snow
John W. Snow

CSX Corporation is the parent company of The Family Lines Rail System, The Chessie System Railroads, Florida Publishing Company,
The Greenbrier resort hotel, CSX Beckett Aviation, Inc., CSX Minerals, Inc.,
CSX Resources, Inc., and various coal, oil and gas development enterprises.

SEP 24 1982

At a state directors meeting held on august 18, 1982, the West Virginia Division, Izaak Walton League of America, in order to re-emphasis the Leagues strong stand for a legislative designation of "Back Country", authorized the wide distribution of the "Cranberry Back Country" resolution passed unamimously at the West Virginia Division State Convention held June 11, 12, 13, 1982.

We urge your careful consideration.

Rosemary P. Leaseburg, President
West Virginia Division, IWL of A

SENATE COMMITTEE ON
ENERGY AND NATURAL RESOURCES
RECEIVED
SEP 24 1982
RECEIVED
WASHINGTON, D.C. 20510

"Cranberry Back Country" Resolution

For Several Decades the citizens of Richwood and the citizens of surrounding counties have fully supported the "Back Country" concept.

And, since this concept permitted the U.S. Forest Service to successfully and fully implement true multiple use until 1964.

And, since diversity and wildlife is threatened under a strict Wilderness designation.

And, since timber harvesting, prohibited in Wilderness areas, creates excessive cutting preasures on remaining harvestable forest areas of the Monongahela National Forest.

Therefore, the W.Va. Division, I.W.L. of A. requests that the U.S. Forest Service withdraw its approval of Wilderness status for part of the orginal 53,000 acre Cranberry Back Country.

And, Futher, be it resolved, that the U.S. Forest Service formulate plans and present to the U.S. Congress for approval, a designation of "Cranberry Back Country" for the orginal 53,000 acres.

It is recommended that the following items be a part of the

" Cranberry Back Country" legislation:

1. Strict multiple use emphasizing non-consumptive values.

2. Limited access.

3. Timber harvesting will be moderate, using the uneven-aged system. Any mineral extraction or drilling will be done under strict regulations that will guarantee a compatible environment for other multiple uses.

4. Timber harvesting will be done on an area large enough (53,000 acres) and over a period of time long enough (at least 50 to 75 years) to demonstrate the feasibility to converting any even-aged timber stands to an uneven-aged or all-aged condition.

5. Any "change of direction" or marked increase of extractive commercial uses could only come about as a result of a U.S. Congressional declaration of a national emergency.

MEMORANDUM

TO: Members of Senate Sub-Committee Hearing

FROM: Dolan Irvine, Assessor
Pocahontas County, West Virginia

SUBJECT: In reference to H. R. 5161

DATE: August 10, 1982

The West Virginia Pittsburg Railroad (CSX) owns thirty-two thousand nine hundred forty-six (32,946) acres of minerals in Pocahontas County assessed at one million eight hundred thousand dollars ($1,800,000) and pays twenty-seven thousand dollars ($27,000) per year to Pocahontas County in taxes. This property is all in the Cranberry Wilderness Area. If these minerals were assessed at sixty percent (60%) of market value ($18,000,000 x 60% = $10,800,000), they would pay one hundred sixty-two thousand dollars ($162,000) per year.

If the new property tax amendment passes, all properties will be assessed at sixty percent (60%) of its true and actual value by 1985. Therefore, over the next ten years if coal remains at its same value, the county could expect to receive $162,000 per year from the coal. Oil and gas reserves, if discovered, could produce additional tax revenues for the county.

American Petroleum Institute
2101 L Street, Northwest
Washington, D. C. 20037
202-457-7300

Charles J. DiBona
President

NATE COMMITTEE ON
RGY AND NATURAL RESOURCES
RECEIVED
AUG 10 1982
WASHINGTON, D. C. 20510

August 9, 1982

The Honorable James A. McClure
Chairman
Senate Energy and Natural Resources Committee
3121 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator McClure:

The American Petroleum Institute (API) appreciates this opportunity to comment on H.R. 5161, which designates certain lands in the Monongahela National Forest in West Virginia as Wilderness. The bill is now under consideration by the Senate Energy and Natural Resources Committee.

API is a petroleum industry trade association representing 320 companies of all sizes and more than 8,000 individual members. Our members are very concerned that H.R. 5161, if enacted, will set a precedent which would further limit industry's ability to explore for and produce needed domestic energy supplies.

As a matter of industry policy, API does not believe it appropriate to withdraw resources in perpetuity. As a result, we are opposed to the Section 4 "exchange" provision because it creates a mechanism under which mineral resources may be permanently withdrawn from use. Although the exchange procedure appears to apply only to the Cranberry Wilderness, we are concerned that H.R. 5161 will set a policy that would extend to other designated Wilderness and, in the future, to areas proposed for Wilderness status.

In addition, while the Section 4 "exchange" provisions may be an adequate means of determining the extent and value of coal deposits the provisions represent an impractical and unreasonable way of determining the value of oil and gas and other mineral deposits.

The Honorable James A. McClure
August 9, 1982
Page 2

The exchange methods described substantially limit the non-federal owner's ability to determine the total value of that which he owns. The bill provides that one unknown value shall be exchanged for another unknown value without the non-federal owner ever having full and adequate opportunity to determine the value of either site involved in the exchange.

Coupled with the mechanics of the exchange procedure itself is the bill's unduly broad geographic applicability. Under H. R. 5161, the exchange procedure would apply to coal deposits and mineral interests outside the boundaries of the designated wilderness area not contiguous to the non-federally owned deposits and mineral interests within the wilderness area. Given the extent of coal beds and certain types of oil and gas fields, this extraterritorial application of a flawed exchange procedure could prove to be especially improvident.

In summary, the permanent withdrawal of a known mineral resource, and the uncertainties of the exchange procedure and its extraterritorial impact call for the elimination of the exchange provisions from H.R. 5161.

Sincerely,

National Forest
Products Association

Ralph D. Hodges, Jr.
Executive Vice President

Forest Industries Building • 1619 Massachusetts Avenue, N.W.
Washington, D.C. 20036 • 202/797-5810

2 AUG 10 PM 4:48

August 10, 1982

The Honorable Malcolm Wallop
Chairman
Subcommittee on Public Lands and
Reserved Water
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Re: H.R. 5161

The National Forest Products Association, representing 31 federated forest products industry associations totalling more than 2,500 companies, does not support the passage of H.R. 5161. We do not support state-by-state Wilderness legislation unless it contains statutory release language which fully protects the RARE II non-Wilderness lands by declaring that they shall be managed in the future for uses other than Wilderness.

Technically, the lands recommended for non-Wilderness in RARE II are available for multiple use management. But in reality, any decision the Forest Service makes about developing the land is likely to be met with an array of appeals, court suits, and political action.

National release language, such as that contained in S. 842 would aid National Forest planning and management by putting into effect the RARE II recommendation. Such a provision should be incorporated into a West Virginia bill which would clearly let the Forest Service know which lands are available for multiple-purpose use so it can get on with the job of managing the resources of the National Forests to the nation's benefit.

The aim of RARE II was to let Congress and the public settle which lands are to be available for general recreation and commodity uses and which for Wilderness, so that all 62 million acres of roadless land would not be tied up indefinitely simply because it was potential Wilderness.

August 10, 1982
Page 2

We urge Congress to end the prolonged uncertainties as to potential uses of these public lands. Congress should approve boundaries for new wilderness areas considering the Forest Service's recommendations and local interest in each state. However, the effects of additions to the Wilderness system need to be added up and viewed as a whole. This can be done by releasing the RARE II non-Wilderness lands as a first step to establish a land base on which resource decisions can be made.

I appreciate the opportunity to comment on H.R. 5161 and request that our comments be included in the record of the hearings on August 11, 1982.

Sincerely,

Ralph D Hodges Jr

Ralph D. Hodges, Jr.

CC: The Honorable James McClure

NATIONAL WILDLIFE FEDERATION

1412 Sixteenth Street, N.W., Washington, D.C. 20036 202—797-6800

September 2, 1982

Chairman, Subcommittee on Public
Lands and Reserved Water
Senate Committee on Energy and
Natural Resources
3204 Dirksen Senate Office Building
Washington, DC 20510

Re: Statement of the National Wildlife Federation Regarding H.R. 5161, the West Virginia Wilderness Act of 1982

Dear Mr. Chairman:

On behalf of the National Wildlife Federation, I am submitting the following statement on H.R. 5161, the West Virginia Wilderness Act of 1982, and request that it be made part of the permanent record of the August 11 hearing on this bill.

The National Wildlife Federation is a private, nonprofit conservation education organization with over four million members and supporters. The Federation's members and affiliated state organizations have an abiding interest in the protection of America's wilderness system and potential wilderness additions. This interest was clearly delineated in a resolution at NWF's 1982 annual meeting, which strongly supports recent actions by the House of Representatives to remove wilderness and potential wilderness areas from certain mineral leasing activities.

H.R. 5161 contains protective language for West Virginia wilderness areas (Cranberry Wilderness, Laurel Fork North and South Wildernesses) which we strongly support. The Federation urges support of this bill.

Sincerely,

Thomas D. Lustig, Counsel
Public Lands Division

cc: James Westfall, President,
West Virginia Wildlife Federation

100% reclaimed paper

POTOMAC VALLEY AUDUBON SOCIETY

P.O. Box 578
Shepherdstown, WV 25443

August 20, 1982

Senator Malcolm Wallop
Chairman
Subcommittee on Public Lands
and Reserved Water
Room 3104
Dirksen Senate Office Building
Washington, DC 20515

Dear Senator Wallop:

During the hearing on the Cranberry Wilderness Bil (HB 5161), those of us present from this organization decided it would be prudent to send a letter for inclusion in the record.

We are firmly behind the unequivocal, unfettered designation of the Cranberry Backcountry as wilderness.

Some points brought up during the testimony need further airing and we hope that these comments will be made a part of your Subcommittee's record on this Bill.

The matter of mineral exchange was discussed in a way which suggested that all land over any mineral deposits is equal to any other land over mineral deposits. Our view is: Why deface a pristine forest to get at a few metric tons of coal when there is coal available under other land less fragile and valuable? Here, surely, the ends do not justify the means employed.

We believe the "job export" controversy is blown out of proportion. A prime example of yesteryear was when the hat industry bemoaned the loss of heron plumage when the Federal Government put a halt to their slaughter near the turn of the century.

I have been in the Cranberry and I know I shall go again. The thought that this restful refuge can be enjoyed by all on this teeming East Coast is a solace. Even a cursory glance from a car window as one drives the length of the Scenic Highway on the boundary line is an experience to be treasured. It is hard to believe that "civilization" is only a few miles away from this serenity.

We hope that your Subcommittee will report favorably on HR 5161 and we urge its speedy passage through the Senate.

Very truly yours,

Jean C. Neely

Jean C. Neely
President

The West Virginia
Highlands Conservancy

1982 AUG 20 PM 3:38

August 17, 1982
9 Crestridge Drive
Huntington, WV 25705

The Honorable Malcom Wallop
Chairman
Subcommittee on Public Lands &
Reserved Water
Committee on Energy & Natural Resources
United States Senate
Washington, D.C. 20510

Dear Chairman Wallop:

I wish to express my appreciation for the opportunity to testify before your Subcommittee on August 11th in regard to the West Virginia wilderness bill, H.R. 5161.

I also wish to take advantage of the open record in this matter and request the enclosed news story from The Charleston Gazette of August 17, 1982 to be included in the record in its entirety.

This story addresses those concerns which you expressed during the hearing regarding the attitude of West Virginians towards sacrificing modest employment opportunities to preserve the Cranberry Backcountry as wilderness. As you will note, both the AFL-CIO and the United Mine Workers of America are supporting H.R. 5161.

Thank you for holding last week's hearing on H.R. 5161 and for your consideration of my request.

Very truly yours,

Larry W. George

Larry W. George
Chairman
Cranberry Wilderness Committee

enclosure
as stated

Th Charleston Gazette, Tuesday, August 17, 1982

Sports 2B-5B
Comics 6B
Classified 8B-11B

B

Labor supports Cranberry bill

By Skip Johnson
STAFF WRITER

Organized labor support for the Cranberry wilderness legislation has come from the West Virginia Labor Federation AFL-CIO and informally from the United Mine Workers' political action arm.

Joseph Powell of Charleston, president of the federation, said Monday his organization is in support of the legislation which would designate 35,600 acres of the Cranberry Backcountry in Webster and Pocahontas counties as part of the federal wilderness system.

The Cranberry bill has passed the House of Representatives and was the subject of a Senate subcommittee hearing last week. The same bill would also designate 12,200 acres on Laurel Fork in Randolph County as wilderness.

Powell said he discussed the legislation with Larry Fizer of the labor union's Committee on Political Education. "We then talked with other people and made a determination to support it," he said. "We'll do what we can for the bill."

Powell said this doesn't necessarily mean the AFL-CIO favors every wilderness proposal. "But we do in this particular instance," he said. "A great many people are interested in Cranberry."

He said he thinks passage of the legislation "is a lead-pipe cinch" because of its broad support.

Meanwhile, the UMW's Committee on Political Action (COMPAC) has sent petitions to more than 300 locals in West Virginia to be used for a show of support for the legislation.

Also, Frank Thurmond, COMPAC coordinator, wrote a letter accompanying the petitions asking coal miners to write Sens. Robert C. Byrd and Jennings Randolph, both D-W.Va., and urge them to give vigorous support to the legislation.

Thurmond described the action as "an informal endorsement, and an effort to encourage grassroots support" for the legislation. He said whether a formal endorsement will be made depends on the response to the petitions.

"But I think there will be tremendous support," he added. "The Cranberry area is very popular with miners for hunting and fishing."

Thurmond said the decision to send out the petitions and letter was made by the executive committee of COMPAC's state council.

"We felt that since this is such an important issue to West Virginians, the local unions around the state should have an input," he said.

The AFL-CIO and COMPAC actions followed meetings last week with James McNeely of Princeton, a member of the board of director of the West Virginia Highlands Conservancy and a former member of the House of Delegates.

"I see Cranberry as having tremendous support from rank-and-file West Virginians," McNeely said. "I remember the successful effort in the 1978 Legislature to declare a mining moratorium there. There was an astounding number of phone calls and letters, not from the big environmental groups but just from average West Virginians."

McNeely said he thinks wilderness designation would increase revenue to the involved counties through tourism dollars.

August 26, 1982
P. O. Box 624
Rupert, W. Va. 25984

1982 AUG 30 PM 4:16

The Honorable Malcom Wallop
Chairman, Subcommittee on Public Lands
and Reserved Water
Senate Energy and Natural Resources Committee
3204 Dirksen Senate Office Building
Washington, D. C. 20510

Dear Chairman Wallop:

I recently attended the Subcommittee hearing on HR 5161, or the "Cranberry Wilderness Bill" as it is locally known. After listening to the testimony expressing a fairly wide variety of interests and opinions, I continue to oppose Wilderness designation for the Cranberry. I believe that I recognize most of the concerns of the proponents of designation, for the Cranberry is a fine forest area. However, I believe that most of the proponents are confusing the wild or "unspoiled" condition of the land with the purely administrative designation "Wilderness". They seem to view the polar extremes of Wilderness designation or complete commercialization of the forest as the only possibilities.

As a professional forester, it is my belief that neither choice is best for either the forest ecosystem or the people who care for and about it. The Cranberry is a relatively young forest in terms of the vegetative and animal communities it supports. It is that youthful vigor that accounts for its diverse biota, one of the major attributes which makes it so attractive.

Designation as Wilderness will prohibit manipulation of the vegetative community as a management tool. Without such manipulation, over time, fewer and fewer tree species will come to dominate the forest. As this happens, other tree species will drop out, as will grasses, herbs, and the low, brushy vegetation that provides vital food and cover for wildlife. Thus, wildlife diversity will gradually decline. I invite your subcommittee to give careful attention to the testimony of Mr. Lawrence Deitz and to the enclosed article by Fred C. Simmons on this point.

The Cranberry is in no imminent danger under its present management as a "Backcountry" area. Indeed, it is that management by the United States Forest Service that has fostered its currently desirable state.

Without vegetative manipulation, whether occasioned by man's management and harvesting of forest crops or by theus impacts of wildfire, disease or other natural depredation, the essential character of the Cranberry will change (for the worse in my view). Foresters have succeeded in

The Honorable Malcom Wallop
August 26, 1982
Page #2

some considerable degree in protecting eastern forests from the fires that have been a natural part of the forest ecosystem. Taking away the tools that allow forest managers to mimic nature by purposefully and thoughtfully removing part of the vegetative complex, will ultimately destroy the vitality and diversity of the forests.

I urge you and your Subcommittee not to favorably report HR 5161. Perhaps you will be able to lend your support to a future effort to make "Backcountry" a formal designation for the Cranberry and avoid the creation of an old tree museum.

Respectfully,

Roger L. Sherman

Roger L. Sherman
Forester

RLS/al

"THAT FOREST PRIMEVAL"

When the white man came to America, he saw an unbroken expanse of mature forest filled with all kinds of wildlife. There were birds of every variety. The clear streams teemed with fish. 'Nothing,' says the author, 'could be further from the truth'.

A Woodland Fantasy

FRED C. SIMMONS

THE PEOPLE of the United States are suffering from the consequences of a widespread belief in a forest fantasy that never was, and never will be, true. A little band of misinformed but vociferous zealots has convinced much of the American public and its legislators of the factuality of this myth, and of its current applicability. Now, thanks to the Reagan Administration, there seem to be grounds for some hope that this mistaken belief can be discredited and the disastrous program based on it brought to a halt and possibly even reversed.

What is this fantasy? It is that when the white man came to these shores he saw a practically unbroken expanse of lush, all-aged forest. This forest, so the fantasy goes, contained a heavy representation of our most attractive and useful tree species, and it was teeming with wildlife, including both vegetarian species such as moose, deer, and elk, and predators like wildcats, wolves, and foxes. There were birds of every kind, and the clear, free-flowing streams teemed with fish. The popular belief has been that all we need to do to restore this state of affairs is to establish tremendous "forest preserves," protected from fire, insects, and disease, in which timber-management activities, including all timber cutting, are prohibited. Nothing could be further from the truth.

No one questions that the original settlers in the East found great quantities of such blue-chip tree species as white and yellow pine, cedar, birch, black cherry, white ash, and black walnut. In the West there were redwood, Douglas fir, sugar pine, and red cedar. These furnished the settlers wood for construction and cabinet-making, with enough left over to export. There's only one catch: these species could not have been there in the type of stand described in our forest fantasy.

The truth is that sugar maple is just about the only one of our prized tree species that can maintain itself in an all-aged stand. Practically all the rest of our most desirable trees, like most of our garden plants, are shade-intolerant. This means they cannot reproduce themselves, or grow during their early years, in dense shade, even that of their own parents. In addition, a number of these intolerants, and even some of the shade-enduring species like red spruce, need a seedbed of exposed mineral soil. Their seedlings cannot develop on leaf or needle litter. Mineral soil is exposed by such disturbances as forest fires and logging. Consequently, the intolerants plus some tolerants are found in quantity only in even-aged stands which have developed in sizable open areas.

Indians also set many fires, in warfare, to clear land for agriculture, and in a conscious effort to improve the wildlife habitat

This means that there had to be a mixture of stands of different age classes in our original forests. Our best guess is that in the East 20 to 30 per cent of these original forests were in seedling or sapling stands (zero to twenty years old), 30 to 40 per cent in pole stands (21 to sixty years old), and about 40 per cent in older growth (61 years or older). The older-growth stands were composed primarily of shade-intolerant species, which would live out their lifespan and die, unable to replace themselves. Meanwhile, however, those few, generally undesirable, species that are shade-tolerant could seed in underneath. This ultimate stand of tolerant trees, which is able to maintain itself indefinitely if left undisturbed, is called a *climax forest*. Thus our "forest preserves" today are developing "monocultures" of the worst sort practically pure stands of inferior species like beech or hemlock. The few wisps of sugar maple that get started are usually eaten by deer or rabbits.

Evidence that our original forests consisted of the balance of age classes that we have described, and that there was very little, probably no more than 10 per cent, climax forest, has come from many different sources. One is from careful study of the journals of reliable early explorers such as Captain John Smith, Sir Francis Drake, and the botanist William Bartram. Another is the records of early surveyors who noted the species and sizes of trees growing on their survey lines. And finally, of course, there are studies of the development of the forests themselves. All these indicate that Mother Nature had her own methods of opening up the stands to allow desirable reproduction to get started. Chief among these were occasional intense wildfires, set by lightning. Such fires were aided and abetted by blowdowns and insect and disease attacks, which may have killed or weakened some of the trees beforehand. Indians also set many fires, in warfare,

---

Mr. Simmons is a retired professional forester who has worked for the U.S. Forest Service and the Food and Agriculture Organization of the United Nations. His book, Handbook for Eastern Timber Harvesters, *was published by the U.S. Forest Service in 1979.*

to clear land for agriculture, and in a conscious effort to improve the wildlife habitat.

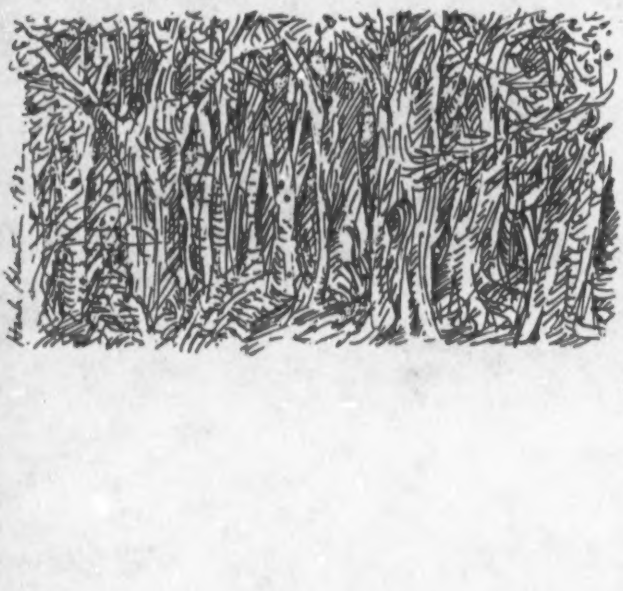
The Indians recognized, as present-day wildlife managers have also come to recognize, that a solid expanse of climax or near-climax forest furnishes just about the poorest wildlife habitat imaginable. The supply of succulent leaves and twigs in the tops of the surviving intolerants is far out of the reach of ground-dwelling birds and animals. The sparse understory of tolerant trees and shrubs is mostly unpalatable or unnutritious. So these old-growth forests provide little sustenance for grouse, turkeys, moose, elk, deer, beavers, and rabbits. As populations of these vegetarians decline, the predators also are starved out. Hungry timber wolves have been reported to be raiding farmers' livestock as much as a hundred miles away from their former homes in Minnesota's "forest preserves." Last year's fatal attacks on human beings by grizzly bears in the Glacier National Park in Montana were in all likelihood due to shortages of the bears' natural foods in the "preserved" forests.

Downstream fish and human beings also suffer. In mature Eastern hardwoods, most of the rain that falls in the summer months is returned to the atmosphere by interception, evaporation, and transpiration. Stream flow is severely reduced. In softwoods, losses occur in the winter as well as in the summer. New York State found this out when it developed that the flow of the Adirondack streams was insufficient to maintain the state's canal system. Dams were erected at the outlets of many lakes and swamps to provide the needed summertime water supplies. Many of these structures are maintained today at the expense of downstream industries and communities. In addition, many municipalities have drastically thinned the forests surrounding their public water supplies to forestall the need for additional reservoir capacity.

Even the atmosphere is adversely affected by overmature and climax forests. Because there is no net production of new wood substance, there is no net conversion of carbon dioxide into pure life-giving oxygen. Rotting wood releases to the air as much carbon, or more, as the living trees absorb.

To top it off, there is little scenic or recreational value in climax or near-climax stands. The tolerant trees are generally small and short, with live limbs far down on the stems. Fallen trees make travel difficult. The areas are silent because of the absence of birds and animals, the scenery is monotonous, and it is easy for the traveler to get lost. As a result, hundreds of thousands of acres of existing "preserves" are never visited from year's end to year's end. Reports of overcrowding of such "preserves" are confined to the few more accessible and scenic areas. All in all the "preserved" forest areas of this country are of little use to man.

When I go back into areas in the Adirondacks I knew well fifty years ago, I can see that the black cherry, the yellow and white birch, the white pine, and the white ash have disappeared. Their place has been taken by beech and hemlock. Similarly, the redwoods in California and the Douglas fir in the Pacific Northwest are giving way to Western hemlock and the true firs. In the South the yellow pines are being replaced by scrub hardwoods.



Yet a tiny, misguided, but clamorous minority continue to agitate for "preservation" of millions of additional acres of potentially productive forest land, and to prescribe exactly the wrong course to attain it. They continue to rant against the "cupidity" of the lumbermen, never realizing, or at least never admitting, that many of the areas they now most want to "preserve" resulted from "forest destruction" as recently as fifty years ago. (The Pemigewasset area of the White Mountain National Forest in New Hampshire is an example.) As a result of this program some 42 million acres of potentially productive forest land have now been set aside for "preservation." This figure includes only those areas capable of producing at least twenty cubic feet of wood products per acre per year, not mountain tops or arid lands.

Not the least of the undesirable features of this program is its effect on the economy. Local residents around the "preserved" areas suffer from lack of employment opportunities. The nation is deprived of increasingly needed forest products and the employment and tax revenues that would be generated in the course of supplying them. A conservative estimate indicates that the areas now withdrawn from use could annually supply enough timber to build half a million houses, with some four million cords of fuel wood available as a by-product.

Knowledgeable administrators of many of the "preserved" areas, their hands tied by laws and regulations prohibiting timber cutting, are resorting to nature's method of restoring these areas to productivity--uncontrolled forest fires. This is a discouragingly slow, dangerous, and wasteful process. In hardwoods particularly, in only a few cases does a single fire accomplish the purpose of opening up the stand. It is usually so damp that only the surface layers of the ground litter are burned off, and the standing trees are merely scorched. This opens the way to butt rot, but the trees may survive several such fires. Only following a drought or some other natural disaster does a single fire ordinarily do the job, and then it often takes several decades for a sizable burned area to revegetate itself. The areas are too large to seed in promptly, and they do not provide good wildlife habitats because the animals do not like to get too far from the shelter of the high forest. Moreover, prescribed burns all too often escape into adjoining ownerships and even inhabited areas.

Nevertheless, the National Park Service and the U.S. Forest Service have a compact that fires will be allowed to burn uncontrolled in the more remote parts of the Yellowstone area in Wyoming, in an attempt to restore the habitat of the elk herds. A high official of the Park Service even told me that fires would be allowed to burn in the Adirondacks if a National Park were established there, to restore the habitat of the moose, the elk, and the woods buffalo. Fires are similarly burning on "preserved" forest lands all over the country, in the Sierras to provide conditions for reproduction of the giant redwoods, in Minnesota to bring back the white pine, and in Florida to rejuvenate the yellow pine.

Fatal attacks by grizzly bears in Glacier Park were in all likelihood due to shortages of the bears' foods in the 'preserved' forests

There can be no doubt that modern scientific forest management can supply a safer, quicker, and more economical method of preserving our public forest areas. The problem, of course, is that such a forest-management program is not simple, and it cannot be handled by any blanket set of rules and regulations. Conditions are too variable for any such easy solution.

The forester must take into account the existing stands; the local climate, soil, slope, and aspect; and the tree and shrub species desired and their requirements. Above all, he must consider local economic conditions and whether or not intensive management practices are feasible. If intensive management and a one-hundred-year rotation are decided upon, reproduction cuttings might be rotated throughout the area at a rate of 1 per cent per year, possibly in the form of scattered clear cuttings with or without seed trees, seedbed preparation, direct seeding, or tree planting. Or group selection or shelterwood might be called for. Improvement and salvage cuttings could be made in portions of the remaining stand. Under extensive management, a longer rotation might be selected and a ten- or even a twenty-year quota of reproduction cuttings made in a single year. Then the loggers would be sent elsewhere until the next cut was due. Choice of methods and equipment for logging and their supervision is important in either case. Weedings and thinnings could be made in the resulting young stands.

Such a program would result in a healthier, better-balanced stand of more desirable trees, a better wildlife habitat, more regular stream flow, continuous income from forest products, and better conditions for all types of recreation. Most of the big estates and club properties in the Northeast now follow some type of forestry program, although they all started out as "forest preserves." Similarly, big forest-industry properties generally have waiting lists of people clamoring for hunting and fishing rights and summer home sites. This is quite correctly called "multiple use."

The following is a suggested program to attain these ends on our publicly owned forest lands:

1. Initiate a concentrated and scientifically sound educational program to acquaint the general public and their legislators as to what forest preservation actually entails.

2. Stop establishing additional "forest preserves" where cutting is prohibited.

3. Revert to "The greatest good for the greatest number in the long run" as the guiding policy for public forest management. This would involve possible reclassification of little-used portions of our "forest preserves" to multiple-use status and relaxation of the rules prohibiting cutting on the more heavily used areas.

4. Prepare detailed management plans for each area. These would include, in addition to cultural guidelines, provision for such things as development of scenic vistas, winter yarding areas for deer, and retention of hollow trees for dens and nesting sites.

Implementation of such a program would be neither easy nor simple. Many different points of view would have to be reconciled. But such a program is necessary to forestall continued deterioration of our "preserved" forest lands and application of present mistaken practices to additional lands. □

Richwood, W. Va. 26261
August 7, 1982

C. BYRD
AUG 10 1982
UNITED STATES SENATE

Honorable Robert C. Byrd
105 Old Senate Building
Washington, D. C. 20510

Dear Senator Byrd:

For some eight years people of this area have opposed wilderness for the Cranberry Wilderness Study Area. This was for good sound reasons.

It has ocurred to some of us that you may not be fully aware of certain important recent developments, the many facets of the question, and of the many objections.

The attractiveness of the area centers almost entirely on the diversity of the hardwood species, and the diversity of plant and animal life. Professionals on numerous ocassion stated that the southern portion of the Monongahela National Forest (the wilderness study area is in this portion) may be the most diverse and best mixed hardwood forest of any temperate zone of the world. The same may be true of the plant species on the forest floor. Some have estimated the number of plant species as great as 1800.

Unfortunately, some 90 % cannot thrive in deep shaded conditions, Unfortunately, it is the desirable species that requre considerable sunlight to thrive. If wilderness should be established for 35,000 acres the forest would revert to a climax forest consisting principally of red spruce, hemlock, beech, maple and yellow birch. Only the maple is a valuable lumber species, and only the beech supplies any significant amounts of food for wildlife and this averages one year out of each 3 or 4.

For many years 53,000 acres of the southern portion was managed very succesfully as what was known as BACK COUNTRY. This was managed behind locked gates with careful techniques applied to enhance plant and animal life and the many attributes of the forest. This was fully supported by the people of the surrounding counties.

Managing 35,000 acres for wilderness violates every concept of good forest managemnt, good plant life management, and good wildlife managemnt. The removal of thirty five thousand acres from any timber production necessitated an increase in harvest from the remining acerages to meet the demands of industry. This results in an increase in harvest near recreation areas, streams and highways.

The chamber position was well outlined to you in a letter dated February 26, and in a resolution dated June 7. In the February 26 letter under attachment C alternative 3 a desirable managemnt procedure was outlined which would enhance the many values and attributes, and permit valuable techniques to be demonstrated. This should certainly result in a satisfactory solution to the controversy.

We are not sure that you are aware that in recent weeks many individuals and many organizations have endoresed alternative 3 of attachment C. The Cherry River Chapter Izaak Walton League of America unanimously endorsed this concept. The delegates to the state convention of the Izaak Walton League of America unanimouls endored this concept in a resolution dated June 13. Since that date this concept has been endorsed by the Marlinton Rotary Club, and the Nicholas County Commission. Other organizations have indicated they expect endorsement at their next meetings.

Perhaps the information that follows will be of help to you in assessing the situation. Many individuals inform us that they only favored wilderness in the beginning because the proponents of wilderness had given them unreliable information to the effect that they were trying to prevent the area from being strip mined, the building of a railroad up Cranberry River, and saving the glades. Stripping is not permitted in the eastern National Forests. The glades are not within the boundaries of the study area. Deep mining is miles away in another valley. It appears that no railroad building has been considered in the last twenty years.

A report was circulated indicating that some 30,000 persons have been visiting the area annually. This would be about 90 daily. The implication is left that these visitors are coming because it has been designated a wilderness study area. Our investigation indicates that some 80 % to 85% have been coming to the area for some thirty years to fish and camp and will continue to come indefinitely regardless of designation. A large portion of the additional visitors are hunters, naturalists, reserchers and others who are not attracted as wilderness buffs. The main entrances to the wilderness has been checked on many ocassions and on fair weather days. Usually no cars are found during the week and none to four or five on week ends with the exception of main holidays. At one of the nearest filling stations we were informed that they would see some eight or nine persons a month who appeared to be wilderness buffs. Usually they were from other states.

We trust that you will do every thing possible to prevent the enactment of wilderness legislation. We are hoping that one of our senators or congressmen will take action to initiate the plan outlined as alternative 3 in attachment C. of the February 26 letter. This should be an extremly popular solution except for a very few.

I am attaching a copy of the February 26 letter together with other pertinent information. Let me assure you that this letter is not only written with deep concern but with sincerity, and again with the thought that you may not be aware of the more recent developments.

Sincerely,

Lawrence Deitz

STATE FARM INSURANCE

EUGENE DEITZ, Agent
Auto - Life - Health - Home and Business

31 East Main Street, Richwood, West Virginia 26261
Phone: Off. 846-6352 Res. 846-6254

RECEIVED
AUG 9 1982
UNITED STATES SENATE

Aug. 7, 1982

Hon. Robert C. Byrd, U. S. Senator
105 Old Senate Office Building
Unites States Senate
Washingtoh, D. C. 20510

Dear Senator Byrd,

I believe it to be in the best interests of the people who reside in this area for the Cranberry Back Country Area to be designated Back Country rather than Wilderness.

I urge you to support this position.

Sincerely yours,

Eugene Deitz

4-0010175221 08/09/82 ICS IPMMTZZ CSP POMT
3044533378 POM TDMT HUNTINGTON WV 25 08-09
0747P EST 20:07 EST

western union **Telegram**

SENATOR ROBERT BYRD
CAPITOL ONE DC

THE WEST VIRGINIA DIVISION ISAAC WALTON LEAGUE HAS WITHDRAWN SUPPORT FOR WILDERNESS IN THE CRANBERRY BACK COUNTRY IN FAVOR OF THE PRESENT BACK COUNTRY CONCEPT

KEITH TAYLOR WAYNE COUNTY CHAP
PO BOX 247
CEREDO WV 25507

20:07 EST

IPMPOMX WSH

1-026192C221 08/09/82 ICS IPMWGWM WSH POMT
00620 (1508 4-014245221)
08-09 0542P EST 16:46 EST

western union

Telegram

US SENATOR ROBERT C BYRD
105 OLD SENATE OFFICE BLDG
CAPITOL HILL DC

ICS IPMMTZZ CSP
3047994794 TDMT MARLINTON WV 31 08-09 0310P EST
WE THE MARLINTON CHAMBER OF COMMERCE HAVE ADOPTED THE REVOLUTION PRESENTED TO YOU BY THE RICHWOOD CHAMBER OF COMMERCE.
WE SUPPORT THE CRANBERRY BACK COUNTRY DESIGNATION INSTEAD OF THE WILDERNESS DESIGNATION
HARVEY GALFORD PRESIDENT
216 8 ST
MARLINTON WV 24954

16:46 EST

IPMPOMX WSH

MPC
PO BOX 1037
MCLEAN VA 22102

western union Mailgram

1-236922U245 09/02/82 ICS WA16614 WSHA
01119 MLTN VA 09/02/82

CHAIRMAN
SUBCOMMITTEE ON PUB. LANDS&RSRVD WATER
SEN COMM ON ENERGY & NAT RESOURCES
3204 DIRKSEN SENATE OFFICE BLDG
WASHINGTON DC 20510

THE WEST VIRGINIA WILDLIFE FEDERATION IS A PRIVATE CONSERVATION ORGANIZATION DEVOTED TO THE WISE USE, CONSERVATION, AESTHETIC APPRECIATION, AND RESTORATION OF WILDLIFE AND OTHER NATURAL RESOURCES.

ON BEHALF OF THE WEST VIRGINIA WILDLIFE FEDERATION'S 12,000 MEMBERS, I URGE YOU TO SUPPORT H.R. 5161 AND ITS PROTECTIVE LANGUAGE FOR WEST VIRGINIA WILDERNESS AREAS.

JAMES WESTFALL, PRESIDENT
WEST VIRGINIA WILDLIFE FEDERATION
BOX 275
PADEN CITY WV 26159

9378

18:32 EST

MGMCOMP

5241 (R1/78)

TO REPLY BY MAILGRAM, SEE REVERSE SIDE FOR WESTERN UNION'S TOLL - FREE PHONE NUMBERS

STUDIES IN NATURAL RESOURCE POLICY

ECONOMIC POLICY DEPARTMENT

THE WILDERNESS SOCIETY

COAL AND WILDERNESS:
A CASE STUDY OF COMPARATIVE VALUES IN THE PROPOSED CRANBERRY WILDERNESS, WEST VIRGINIA

by

Gloria E. Helfand

and

Kenneth W. Erickson

April, 1982

© The Wilderness Society, 1982

PREFACE

During the past ten years, legislation has been proposed on several occasions to add a large portion of the Cranberry Backcountry -- a rugged, heavily-forested tract in east central West Virginia -- to the National Wilderness Preservation System. In 1979, after completing a major study, the U.S. Forest Service recommended that Congress officially designate a Cranberry Wilderness of nearly 36,000 acres. But, early this year, the Reagan administration opposed this recommendation, arguing that wilderness designation would result in the loss of valuable coal deposits underlying the area.

The debate concerning the Cranberry is one of the most important Eastern wilderness issues before the 97th Congress. In resolving the debate, Congress must decide whether wilderness preservation or development of the Cranberry's resources will provide greater value to society. This report examines some economic consequences of current legislation by comparing the relative scarcity of the Cranberry's wilderness recreation opportunities and its coal deposits. The particular use of the area which provides outputs more limited in supply, with few close substitutes, and characterized by strong and growing demand is judged to have the greater economic value to society.

Although this analysis discusses only the Cranberry, the approach used here is applicable to land use decisions in other areas involving mutually exclusive alternatives. The essential question is: which use provides society with greater economic value? In answering this question, the first step is to specify alternative land uses and the various outputs associated with each. Second, reliable information must be obtained on expected demand and supply conditions for the most important outputs. This information should focus especially on current levels of utilization, expected future rates of growth in use, the availability of substitutes, technological change, and the importance of maintaining land use options for future generations. Based on such factors, the final step -- assessing the relative scarcity of competing outputs and thus determining which alternative use of the area has the greater economic value -- can be taken.

This project was initiated at the request of The West Virginia Highlands Conservancy. The Wilderness Society is grateful to the many individuals who provided information and other assistance to make this study possible. Special acknowledgements are extended to the reviewers who gave helpful comments on an earlier draft of the report.

Peter M. Emerson
Director
Economic Policy Department

SUMMARY

H.R. 5161, a legislative proposal from U.S. Representative Cleve Benedict of West Virginia, seeks to designate 47,590 acres of national forest land in West Virginia as wilderness. The bulk of this allocation is the proposed 35,550-acre Cranberry wilderness. Though the Cranberry has long been considered a prime candidate for wilderness designation, the issue has long been controversial. Underlying the publicly-owned surface resource are privately-owned mineral rights, including rights to a major coal deposit. If the area is to be added to the National Wilderness Preservation System, the owner of the coal, the CSX Corporation, must be compensated for the loss of access to its subsurface resources.

The proposed legislation would resolve the controversy through an exchange of these resources for federally-owned mineral resources of comparable value elsewhere. The CSX Corporation would have access to an alternative mineral deposit, and the Cranberry would provide the ecological and recreational benefits of a large undeveloped area. However, the benefits of developing the Cranberry's coal deposit would be lost.

This study analyzes the tradeoffs between allowing development of the coal resource and preserving the Cranberry for the benefits of its wilderness values, especially for recreation. The methodology focuses on the relative scarcity of wilderness recreation versus coal. If the supply of one of the resources is low relative to demand, while supplies of the other resource are ample to meet demand, then provision of the scarcer resource would provide greater benefits to society. This study aims to identify the more valuable use of the Cranberry.

Recreation in the Cranberry. Wilderness in the densely-populated eastern U.S. is a scarce commodity. Only one eastern national forest wilderness area is larger than the Cranberry - the Boundary Waters Canoe Area in Minnesota - and only one is of comparable size, the Cohutta in Georgia and Tennessee. Only four roadless areas identified in the Forest Service's second Roadless Area Review and Evaluation are larger than the Cranberry - three in New Hampshire, one in Georgia. No national forest wilderness of comparable size lies within a 300-mile radius. Thus, the Cranberry is unique for its size alone. In addition, it provides habitat for species dependent on large undeveloped areas - black bear and wild turkey, for example - in addition to many other species. Its rivers provide large quantities of clear water. Finally, if left in a natural condition, the Cranberry could provide an important baseline for studying the effects of human activities on the rest of the Monongahela. It would serve as an undisturbed area against which the results of management could be measured.

The Cranberry also serves an important role as a wilderness recreation area. In 1980, there were 30,400 "recreation visitor-days" (12 hours of use by one or more persons) in the Cranberry. Hiking accounted for roughly half the use, camping for another third, and hunting and fishing for most of the remainder. Nationally, the Forest Service projects at least a 2 percent per year increase in the use of wilderness areas in coming years. Thus, well into

the future the Cranberry can be an important source of relatively nearby wilderness opportunities for the eastern U.S.

If the Cranberry is not designated wilderness, then it will be available for mining and discretionary Forest Service management. Mining activities may lead to a half-dozen mine openings of up to 10 acres each at any given time, plus improvement of two low-grade roads. Both roads and mine openings would run through the middle of the Cranberry. The choice for management of the surface resource by the Forest Service depends purely on agency priorities and therefore cannot be predicted with certainty. It will, however, probably lead to relatively increased management - perhaps some timber harvesting and wildlife habitat manipulation. These activities probably will not alter the Cranberry irreversibly, but they will change its character during the period that they occur.

If this course is taken for the Cranberry, overall recreational use probably would be reduced. Hiking and camping use are likely to decrease. People would not come from as far to visit the area, since it would no longer be as unique. Moreover, greater human intrusion would reduce the desirability of taking a several-days trip in the area. Hunting and fishing use might increase because of the possibility of wildlife habitat manipulation; however, with hikers and campers the dominant users of the area, overall use levels probably would drop. Additionally, nonwilderness uses are not predicted to increase as rapidly as wilderness use in coming years. Dispersed camping is projected to increase at about 1.4 percent per year, while hiking and hunting will each increase at less than 1 percent per year. In sum, the Cranberry is more valuable for recreational purposes, and will provide other important values (such as water-shed protection, providing for genetic diversity, and wildlife habitat), if it remains a wilderness.

Coal Resources and the Cranberry. The U.S. has an estimated demonstrated reserve base (DRB) of 163 billion tons of coking coal. The DRB represents coking coal that is presently judged to be economically and legally minable. About 19 billion tons are considered to be premium coking coal, the most desirable grade for producing metallurgical coke. Based on recent consumption and recovery rates, if only premium coking coal went to coke plants and if coking coal is used for no other purpose, premium coking coal supplies would not be exhausted for at least 80 years. Thus, present coking coal supplies are ample for coming years. In addition, if demand for coking coal grows, technological advances in coal production and coke making may further extend the life of the DRB of premium coking coal by making currently marginal coal deposits economical.

The Cranberry is estimated to contain a DRB of about 38 million tons of premium coking coal. This amount is about 0.2 percent of the U.S. demonstrated reserve base of premium coking coal, and about 0.02 percent of total U.S. coking coal supplies. It thus represents but a very small part of the current reserve base for coking coal. Its development or non-development will not measurably affect either price or supply.

Demand for premium coking coal is not likely to increase significantly in the next 20 years. Currently, demand from the U.S. steel industry (a major coke consumer) is weak, in part reflecting the slowdown in the U.S. economy. Coking coal may also be used for electricity generation, but demand is not expected to increase substantially. Export demand is expected to be moderate; in coming years, it will be further dampened by the availability of cheaper coking coal from elsewhere in the world and by improvements in the steel making process which reduce the need for coking coal. Thus, with supplies of coking coal ample, and demand moderate, the losses to the nation from not mining the Cranberry coal deposit would be negligible.

Local social and economic impacts from not mining the coal are measurable but not large. Removing the Cranberry coal deposit from the tax base of Pocahontas County - a loss of about $17,000 - would have minimal effect, since that figure represents less than 1 percent of current county revenues. No current coal mining jobs would be lost if the Cranberry is designated as wilderness, but mining the coal deposit could create up to 370 jobs. In an area with chronically high unemployment, these jobs could boost the economy. However, some of these jobs may be filled by people who already are employed. Additionally, the new jobs may not be stable, and they will end as soon as the mines are exhausted. Nevertheless, wilderness designation probably would result in fewer new jobs.

Feasibility Of An Exchange. To compensate the CSX Corporation for the loss of its coal deposit, the proposed legislation would exchange this mineral deposit for a federally-owned deposit of comparable value, preferably in the eastern U.S. In this part of the country, the federal government owns about 1.7 million acres of bituminous coals (of which coking coals are a subset). Federal coal deposits under national forests comprise 625,000 acres, primarily in Alabama and Kentucky. Substantial acreages of the Alabama deposits are known to contain coking coal, with one deposit alone containing 26 million tons. Though the full extent of federally-owned coal deposits in the eastern U.S. - especially coking coal deposits - has not been determined in detail, an exchange appears to be feasible.

In sum, the Cranberry area would better meet national needs if it is allocated to wilderness than if it is left available for coal mining. If national needs change in the future, and development of this coal deposit becomes important, then it will still be available. The effect of wilderness designation will be to make coal development a deliberate Congressional decision, rather than the decision of a private firm or government agency. Because wilderness is relatively scarcer, designation of the Cranberry as wilderness better serves the public interest than does leaving the area open to development.

INTRODUCTION

On December 10, 1981, U.S. Representative Cleve Benedict of West Virginia introduced for consideration in the Congress H.R. 5161, a bill "to designate certain lands in the Monongahela National Forest, West Virginia, as wilderness; and to designate management of certain lands for uses other than wilderness." The bill would add 47,590 acres of national forest land in three areas to the National Wilderness Preservation System, as well as allow the remaining roadless areas in the state to be managed for nonwilderness uses. If enacted, this legislation would more than double the amount of wilderness in West Virginia, though wilderness areas in the state would comprise less than 10 percent of national forest land, and only about ½ percent of all land, in the state.

The bulk of the wilderness addition is contained in one area, the proposed Cranberry wilderness, totalling 35,550 acres. With respect to the Cranberry, this legislation represents the culmination of many previous wilderness proposals. Located in east-central West Virginia, the Cranberry has long been considered a prime candidate for wilderness designation because of its beauty and its size. Attempts to designate the area wilderness have been made regularly since 1970. However, these designation attempts always create controversy. Underlying the publicly-owned surface resource are privately-owned mineral rights, including rights to a major coal deposit. If the area is to be added to the Wilderness System, the owner of the coal, the CSX Corporation, must be compensated for the loss of access to its subsurface resources.

The proposed legislation requires the Secretary of the Interior (who oversees federally-owned mineral deposits), in consultation with the Secretary of Agriculture (who oversees the National Forest System), to acquire the privately-owned mineral rights through an exchange of federally-owned mineral rights of comparable value elsewhere. A strict timetable for each step of the exchange is established. If any of the deadlines set in the timetable is missed, the bill requires that the two parties submit to binding arbitration. In all, the exchange should be completed within three years of enactment of the legislation.

If legislation is not enacted with provisions for an exchange or other form of compensation, then the CSX Corporation would have the legal right to mine its coal and any other minerals, as well as to build any roads and structures necessary for developing those resources. Even if the U.S. Forest Service, which oversees the National Forest System, limited its management efforts to those consistent with wilderness or backcountry use, it is very likely that development activities would occur in the Cranberry, thus altering its unique status as an undeveloped area.

Whenever wilderness proposals conflict with resource development goals, the ultimate question is, which resource is of greater value to society? Both wilderness areas and extractable resources are desired commodities of real value, even though wilderness usually is not assigned a monetary value. Where either wilderness or an extractable resource is available without adverse effects on the other, or where production of one is undesirable for other reasons, no conflict exists. Where a conflict does exist, and where public policy must mediate between the two, public policy should encourage production of the one that has fewer alternatives for meeting demand, i.e., it should encourage production of the scarcer commodity. Because relative scarcity is a measure of relative value, determining which resource has fewer substitutes for meeting demand would indicate which one is of greater value to the public.

This study seeks to examine the tradeoffs between coal development and wilderness preservation in the proposed Cranberry wilderness, West Virginia. In particular, it will investigate the value of the coal and the importance of its development to society, in comparison with the value of the Cranberry as a unique eastern wilderness. Through an economic assessment of these two resources, this study attempts to provide additional information for use in the decision-making process.

The study begins with a description and history of the Cranberry area. After a discussion of the methodology, the value of the Cranberry as a wilderness, particularly for wilderness recreational use, will be assessed. The subsequent chapter analyzes supply and demand factors for coking coal, the particular kind of coal found in the Cranberry. Comparison of the conclusions of these chapters will indicate which resource is scarcer. Finally, the effects of the preferred alternative on other natural resources and on the affected communities, as well as the feasibility of conducting an exchange involving the Cranberry coal resources, are considered.

DESCRIPTION OF THE CRANBERRY[1]

The proposed Cranberry wilderness is located in Pocahontas and Webster Counties, West Virginia, in the east-central part of the state. (See Figure 1.) It is accessible via several Forest Service roads and major roads, including the Highlands Scenic Highway. At its southern end lies the Cranberry Glades Botanical Area, a northern cranberry bog valuable for scientific, ecological, and aesthetic purposes because of its extreme southern location. The Botanical Area is not proposed for wilderness designation in order to permit more intensive use and management.

Though the Cranberry itself is not in a heavily populated area, its location makes it accessible to many people in the eastern and east-central part of the United States. Within a 300-mile radius live over 45 million people,[2] or about one-fifth of the U.S. population. Though the majority of present users of the area come from within a 60-mile radius, the Cranberry receives many visitors from surrounding states, including Ohio, Pennsylvania, Maryland, Virginia, and North Carolina.

Geologically, the Cranberry area is part of the Allegheny Plateau. The steep slopes of the area are deeply carved by mountain streams, though the ridges are generally flat. Elevations in the area range from 2,650 feet up to 4,625 feet. The Cranberry, Middle Fork of the Williams, and Williams Rivers drain the Cranberry area, though only the Middle Fork is actually within the boundaries of the proposed wilderness.

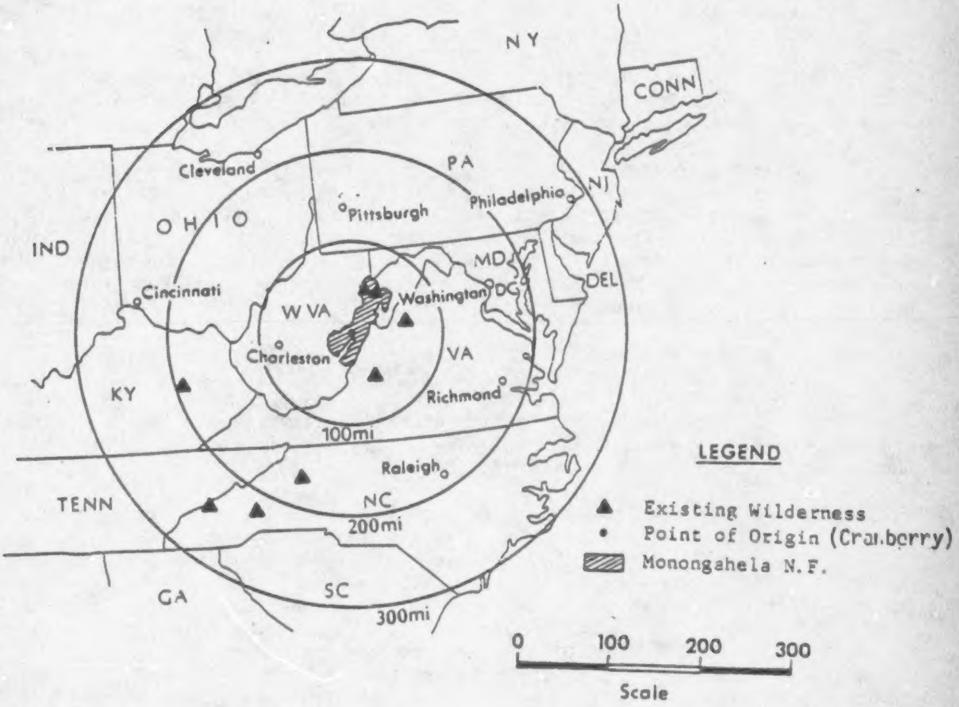
Currently the Cranberry is covered with a lush and vigorous second-growth forest. Most of the area contains mixed hardwoods, including oak, beech, maple, yellow poplar, hemlock, and others. At higher elevations, red spruce dominates. The plentiful precipitation of the area (averaging 3 to 5 inches per month) contributes to the forest's ability to regenerate itself. Isolated patches of old growth remain from pre-logging days, some of which are at the southern limit of their range and have evolved unique adaptations to the climate. The density of the forest generally precludes many scenic vistas, although views are available from the bordering Highlands Scenic Highway and from some locations within the proposed wilderness.

---

[1] Materials presented here are drawn from Wilderness Committee of the West Virginia Highlands Conservancy, The Cranberry Backcountry - 53,000 Acres in the Monongahela National Forest, West Virginia: A Proposal for a 35,550-Acre Wilderness Area (Webster Springs, WV, West Virginia Highlands Conservancy, May 1979); USDA-Forest Service, A Proposal: Cranberry Wilderness (Elkins, WV, Monongahela National Forest, June 1978).

[2] Estimated from the populations of surrounding states, with populations taken from The World Almanac and Book of Facts (New York, Newspaper Enterprise Association, Inc., 1981), pp. 232-249.

FIGURE 1: LOCATION OF THE PROPOSED CRANBERRY WILDERNESS, WEST VIRGINIA



FROM: USDA - Forest Service, A Proposal: Cranberry Wilderness, op. cit., p. 9.

Wildlife in the Cranberry includes several species dependent on large roadless areas. The West Virginia Department of Natural Resources has declared the area to be part of a black bear sanctuary, and wild turkey also reside in the area. In addition to numerous other terrestrial creatures, some streams in the area support trout and other fishes. In other streams, the level of acidity is too high to support fish populations.

Though now proposed for wilderness designation, the Cranberry area has experienced development activities. Indeed, its current status as national forest land grew out of very heavy use around the turn of the century.

History: From Wilderness to Development and Back

In the mid-1800s, West Virginia was covered with old-growth forests consisting of huge oaks, walnuts, yellow-poplars, maples, and pines. Pocahontas County, in east-central West Virginia, contained almost half the state's acreage of valuable red spruce, as well as enormous trees of other species. After the Civil War, lumber operations moved to West Virginia to take advantage of this great natural wealth. Sawmills and railroads followed the logging companies, and boom towns sprang up around the state. In 1870, an estimated 10 million acres of forest were still in their original primeval condition, but by 1910 virgin forest comprised only 1.5 million acres, and by 1920 it was virtually depleted.[3]

The area now known as the Cranberry Backcountry was once owned by the West Virginia and Pittsburgh Railroad Company. Around the turn of the century, the Railroad sold the surface rights to the area - primarily of value for its timber - to the Cherry River Boom and Lumber Company. It kept for itself rights to the subsurface resources, containing a major coal deposit, with very liberal access and development rights. The Cherry River Boom and Lumber Company proceeded to log the area heavily.

In the 1930s, the Cranberry area was virtually cut over. At this time, the U.S. Forest Service, an agency within the U.S. Department of Agriculture, purchased the surface rights to the area for an addition to the Monongahela National Forest. (Subsurface rights remained in private ownership.) The condition of the area left it in major danger of a serious fire. As a fire prevention measure, the Forest Service gated the area's access roads to prevent unauthorized intrusions, creating a 53,000-acre Cranberry Backcountry. As a result, the forest had the opportunity to regenerate itself without development activities. Today, the trees are not as large as they were when logging activities began, but much of the forest provides a wild-enough appearance that the Cranberry has received support for admittance into the National Wilderness Preservation System.

---

[3] Roy B. Clarkson, Tumult on the Mountains: Lumbering in West Virginia 1770-1920 (Parsons, West Va.: McClain Printing Company, 1964), pp. 4, 38.

As early as 1970 legislation was introduced in Congress that would have declared major portions of the Cranberry a wilderness area. In 1975 passage of the Eastern Wilderness Act established 36,300 acres of the Cranberry as a Wilderness Study Area. The Forest Service in 1978 completed the study required by the Act, recommending that 35,550 acres (excluding the Cranberry Glades Botanical Area) be designated wilderness. The recommendation was repeated in the nationwide Roadless Area Review and Evaluation (RARE II) completed by the Forest Service in 1979. However, in 1982 the official position of the U.S. Department of Agriculture changed to opposing wilderness designation, because of the difficulties of an exchange and the loss of coal values.[4]

The subsurface rights have also received attention in recent years. Current ownership resides with the Mid-Allegheny Corporation, a subsidiary of the CSX Corporation. In early 1975 Mid-Allegheny leased the coal under part of the Cranberry to the Powellton Company. After some exploration of the area, Powellton announced plans for two deep mines, one within the Wilderness Study Area. The combination of a lawsuit and a mining moratorium passed by the West Virginia legislature halted the mining activity, but only for a limited time. The legislative moratorium expired on December 31, 1980. Except for the threat of future lawsuits, the Mid-Allegheny Corporation once again can initiate coal mining activities at its discretion. The CSX Corporation would prefer that the wilderness issue be resolved, either to allow mining or to compensate it for the loss of its deposit, before it again attempts to develop its coal.[5]

Few people would dispute that the Cranberry area meets the requirements for admittance into the National Wilderness Preservation System. However, many would dispute whether the value to society of the Cranberry as a wilderness outweighs the value to society of leaving the Cranberry open for development.

Both as wilderness and as nonwilderness, the Cranberry has a range of values. Nonwilderness use may provide timber production, managed wildlife habitat, and recreational use, under multiple-use management. In contrast, wilderness designation offers the scientific, wildlife, water quality, and recreational values of an area left undeveloped. All these values are important and must be considered in the public policy debate. Nevertheless, it seems likely that the debate surrounding the Cranberry will center on two of these issues: the coal deposit under the area, in comparison with its most immediate value to people, the recreational value of the area. The following chapters will elaborate on these two issues to provide additional perspectives for the policy decisions.

---

[4] John B. Crowell Jr., Assistant Secretary for Natural Resources and Environment, U.S. Department of Agriculture, in testimony before the Subcommittee on Public Lands and National Parks of the Committee on Interior and Insular Affairs, U.S. House of Representatives, Washington, D.C., January 28, 1982.

[5] John W. Snow, Senior Vice President, CSX Corporation, in testimony before the Subcommittee on Public Lands and National Parks of the Committee on Interior and Insular Affairs, U.S. House of Representatives, Washington, D.C., January 28, 1982.

METHODOLOGY

The conflict of uses represented in the Cranberry - development of a resource versus wilderness values - is typical of the issues underlying debates over land preservation. As in any situation where there must be tradeoffs between two mutually exclusive uses, the major question is, which use will be of greater benefit to society? Designating the Cranberry as wilderness can provide recreational opportunities, wildlife habitat, and a wide range of other values, while leaving the Cranberry available for development can offer society the values derived from its coal deposit. From an economic perspective, society would be better off with wilderness designation if the wilderness values of the Cranberry outweigh the costs of designation (that is, if the net benefits to society are positive). The major cost of wilderness designation is the lost development values. Conversely, if non-wilderness values are greater than wilderness values, then designation would leave society worse off (negative net benefits to society).[6]

Tallying up the benefits and costs of wilderness designation is rarely a simple process, however. Generally, it is much easier to put a dollar value on a commodity for which there is a well-defined market, such as coal, than it is to put a value on wilderness qualities. While coal is bought and sold in the marketplace, with its price reflecting the costs of developing that resource, wilderness values are hard to measure, much less to buy and sell in a marketplace. Nevertheless, by comparing the relative scarcity of these resources, economic analysis can be a valuable tool for assessing tradeoffs.

Scarcity reflects the value of a resource by comparing its supply and demand. This study appraises the relative scarcity of coal and wilderness by determining which resource has fewer substitutes. If alternatives for the Cranberry's wilderness values are ample enough to meet demand, while coking coal supplies are low compared with demand, then development of the coal will provide greater benefits to society. On the other hand, if few wilderness alternatives exist, and if coking coal is widely available from other sources, then wilderness will have a greater value than coal mining.

Wilderness Values

The Cranberry has many values as a wilderness, ranging from watershed protection and wildlife habitat to ensuring genetic diversity. However, its most easily studied value also is its most immediate benefit for people - the wilderness recreational opportunities it provides. Though the other qualities of the Cranberry as wilderness can add to its benefits, their economic values are far more difficult to analyze. Thus, this study concentrates on the recreational benefits of designating the Cranberry wilderness. By doing so, it calculates only a minimum value for wilderness benefits, while recognizing the importance of the Cranberry's other wilderness values.

---

[6] For more discussion of this issue, see, for instance, Marion Clawson, "Wilderness as One of Many Land Uses," RFF Reprint 191 (Washington, D.C., Resources for the Future, 1982); John Krutilla and Anthony Fisher, The Economics of Natural Environments (Baltimore, John Hopkins University Press for Resources for the Future, 1975); J. Greg Jones et al., "Estimating Economic Costs of Allocating Land to Wilderness," Forest Science 24:410-422, 1978.

The value to society of the recreational opportunities in the Cranberry as wilderness depends on the demand for wilderness recreation and the availability of alternatives to it. If sufficient wilderness-type recreational opportunities are available to serve the same people that the Cranberry does, and if demand is low, then the value of the Cranberry is small; if few alternatives exist, however, and if demand is high, then the value will be relatively high.

A major cost of wilderness recreation in the Cranberry is the foregone value of nonwilderness recreational use. This alternative use of the Cranberry forms a baseline against which to measure the benefits of wilderness recreational opportunities.

In sum, the benefits of wilderness in the Cranberry are here measured at a minimum level by focusing on the recreation benefits. These benefits depend, first, on the demand for wilderness recreational opportunities and the availability of alternative supplies; and second, on how these benefits compare with the level of use under baseline conditions of nonwilderness management. If this analysis shows a net gain in recreational values to society with wilderness designation, then these benefits must be compared with the remaining costs of wilderness designation - the foregone benefits of coal development - to determine which use is more desirable to society.

Coal Values

The value to society of the Cranberry coal deposit depends on its potential role in the market for coking coal. If the deposit is large relative to total supplies, if there are no close substitutes, and if there is strong demand for that kind of coal, then the value of the deposit will be high. On the other hand, if it is a small deposit, if substitutes exist, and if demand is weak, then the value of the Cranberry deposit will be small.

Thus, in analyzing the value to society of the Cranberry coal deposit, this study focuses on the supply and demand situation for the kind of coal found in the Cranberry. Then, the importance of the Cranberry coal deposit is assessed by looking at its role in meeting national demand relative to the role of alternative deposits. Finally, the value of developing the coal deposit is compared with the value of wilderness recreation, to determine which use would provide greater benefits to society.

Limitations of This Approach

The approach used in this analysis is framed as a choice between two mutually exclusive options: that is, the analysis implies that either the coal will be developed, or the area will become a wilderness. However, other options exist that are not considered here. For instance, perhaps coal mining could be permitted in a portion of the 35,550 acres, while the rest is set aside as wilderness.[7] It is possible that the benefits of partial development plus partial preservation might be higher than the benefits of total development or total preservation. The "either/or" approach was nevertheless chosen because it reflects the two options currently being debated in Congress.

The second limitation addresses the data used to measure supply and demand of both wilderness and coal. For each of these resources, the best currently available information was used to determine trends for coming years. Nevertheless, trends change, and the demand for the resources involved may be completely different in the future.[8] For instance, if the domestic steel industry expands rapidly, coking coal demand may skyrocket; or, if a new process allows a cheaper substitute to be used for coking coal, demand may plummet. Still, current decisions must be made with available information, though the existence of uncertainty may imply that, all other things equal, a decision - such as wilderness designation - that keeps options open for a future date may be preferable.[9]

Finally, the approach used in this study does not consider the effects of an action on individuals or companies. The question asked in this analysis is whether society as a whole is better off because of a certain action - not whether Pocahontas County, the CSX Corporation, or the federal government is better off. It is entirely possible that an action which benefits society may have adverse effects on some of those affected by the decision. These equity questions may ultimately be addressed through legal and political processes.

---

[7] Some of these options are addressed in USDA-Forest Service, A Proposal: Cranberry Wilderness, op. cit., Appendix A.

[8] Clawson, "Wilderness as One of Many Land Uses," op. cit., p. 458.

[9] Krutilla and Fisher, The Economics of Natural Environments, op. cit., pp. 69-73.

RECREATION VALUES UNDER TWO SCENARIOS

In the last few decades, increased income and leisure time, greater mobility, and improved access to recreational areas have combined to spark a boom in outdoor recreation. In the National Forest System alone, recreational use increased 37 percent in the 1970s.[10] Continued increases are projected for all outdoor activities in coming years, though different activities show different trends.

Depending on the management choice, the Cranberry can provide different kinds of recreational experiences. Introduction in Congress of legislation to designate 35,550 acres of the Cranberry as wilderness poses two major alternatives at this time: enactment of the bill, which would halt development activities in the Cranberry and lead to an exchange of mineral resources; or, defeat of the bill, which would leave decisions on management of the surface resource to the Forest Service planning process, and which would allow development of the mineral resources in the area.

At least during the time of active coal mining, the differences in recreational use under these two alternatives probably will be major because of the different characters to be assigned to the forest. Wilderness designation would ensure a landscape dominated by natural forces and minimize evidence of the impacts of people. Leaving the area as nonwilderness would leave management to the discretion of the Forest Service and the CSX Corporation, with the strong likelihood that at least some development activities would take place. The magnitude of the difference depends on the kind and degree of development that would take place under nonwilderness use.

This chapter compares the recreational experience in the Cranberry under the two management alternatives. Since recreation is one of the main justifications for wilderness designation, then in order for wilderness designation to be in the public interest the value of recreation in the area under wilderness should exceed the value of recreation in the area as nonwilderness. Recreational value - determined by a combination of demand for a particular kind of experience and the availability of the experience - is, by its nature, somewhat subjective, since different people will not have the same experience with any area. Nevertheless, the recreational values in the area under the alternative management scenarios may be reflected in the different numbers and kinds of users.

This chapter begins by describing the Cranberry as a wilderness area, both the qualities that make it unique and the kind of use that it attracts. This description is then compared to the most likely scenario if the area is not designated wilderness in order to assess the net effects of wilderness designation. If the net effects are positive, then the Cranberry has a positive value as wilderness that can be compared with the area's coal value.

---

[10] USDA - Forest Service, An Assessment of the Forest and Range Land Situation in the United States (Washington, D.C., U.S. Department of Agriculture, 1980), p. 95.

The Wilderness Option

Wilderness management would maintain current conditions in the Cranberry. Thus its character and use - if it is designated wilderness - can be predicted from its current characteristics. This section describes both the character of the area and the current and projected use of the Cranberry if it remains a wilderness.

Character of the Area. According to the Wilderness Act:

> A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. (16 U.S.C. 1131 (c).)

Other characteristics of wilderness include: a general absence of the imprint of people; "outstanding opportunities for solitude or a primitive and unconfined type of recreation;" at least 5,000 acres, or enough land to make its preservation practical; and features of scientific, educational, scenic, or historical value. (16 U.S.C. 1131 (c).)

Despite its history of logging, the Cranberry currently meets the characteristics for wilderness described in the Act. The new, lush growth, though not yet the size of the primeval forest, has largely erased most of the signs of human domination and provides opportunities for solitude and primitive recreation. The beauty of its forests, mountains, and streams, as well as the ecological interest of some of its uniquely-adapted species, represent the values the Act seeks to protect. Finally, its size alone makes it a unique, valuable area in the eastern United States.

Thirty-five thousand, five hundred fifty acres of undeveloped land is a rare commodity in the heavily-developed eastern half of the country. Though the National Park System in the East contains several units with wilderness portions larger than the Cranberry, the National Forest System has only one designated area larger than the Cranberry - the million-acre Boundary Waters Canoe Area in Minnesota - and only one of comparable size, the 34,100-acre Cohutta area in Tennessee and Georgia.[11] The recent Roadless Area Review and

---

[11] Derived from Recreation Management Staff, USDA - Forest Service, "Wilderness Fact Sheet (As of 12/31/80)" (Washington, D.C., U.S. Department of Agriculture, 1980) (mimeograph); USDA - Forest Service, Final Environmental Statement: Roadless Area Review and Evaluation, RARE II (Washington, D.C., U.S. Department of Agriculture, 1979).

Evaluation (RARE II) of the Forest Service identified only four roadless areas larger than the Cranberry in the eastern half of the country - three in New Hampshire, and one in Georgia. No national forest area within 300 miles even approximates the size of the Cranberry. The scarcity of wilderness in the East, especially in the central part of the East, has made the Cranberry one of the prime candidates for wilderness designation.

Size is not the Cranberry's only attribute. The area provides valuable wildlife habitat for such species as the black bear and wild turkey that are dependent on remote, undeveloped areas. Numerous other species also reside in the Cranberry, including white-tailed deer, beaver, rabbit, bobcat, and fox. The rivers provide about 32 billion gallons per year of clear (though somewhat acidic) water, in addition to some trout fishing opportunities. Finally, if left in a natural condition, the Cranberry could provide an important baseline for studying the effects of human activities on other parts of the Monongahela National Forest; it could represent an undisturbed area against which the results of management could be measured. All these values enhance the "wilderness experience" provided by the Cranberry.

Use of the Area. Current management of the Cranberry is virtually identical to management if the area were designated wilderness. It thus provides a good baseline for estimating future wilderness conditions. Because of its many attributes, its accessibility to large populations, and its uniqueness, the Cranberry attracts many users. The 100-plus miles of hiking trails disperse hikers throughout the area, increasing the "opportunities for solitude" characteristic of wilderness. The size of the area makes possible trips of several days or longer without crossing a road, a unique feature in the East. Furthermore, the intangible quality of visiting an area "where the earth and its community of life are untrammeled by man," rather than an area showing the effects of human manipulation, enhances the quality of the Cranberry for many of its users. The combination of these factors lures from great distances those visitors seeking a natural experience.

In recent years, use of the Cranberry has increased rapidly, and as alternative undeveloped areas become scarcer, it is likely that use will continue to grow. In 1976, the Cranberry had roughly 20,000 recreation visitor-days (RVDs)[12] of use, half due to hiking, another third to camping, and most of the remainder to hunting and fishing. Though the proportions of visitor-days in each activity did not change much in five years, by 1980 the number of user-days had increased by over 50 percent - rising to 30,400. (See Table 1.) Nationally, the Forest Service projects wilderness use to increase 2 percent per year without additional wilderness designations; if more areas

---

[12] "A Visitor Day is an accumulation of 12 hours of recreation use by one or more persons." Gil Churchill, Information Officer, Monongahela National Forest; personal communication, December 2, 1981.

TABLE 1: RECREATION USE STATISTICS, CRANBERRY WILDERNESS STUDY AREA, MONONGAHELA NATIONAL FOREST

Thousands of Visitor Days* by Recreation Activities

Year	Camp	Hunt	Fish	Hike & Walk	Other	Total
1976	6.9	2.0	0.8	10.1	0.2	20.0
1977	8.2	2.3	1.3	13.4	0.2	25.4
1978	9.2	1.3	0.9	15.8	0.2	27.4
1979[1]	6.8	1.5	0.6	9.8	0.2	18.9
1980	9.1	2.6	0.2	18.2	0.3	30.4

* A Visitor Day is an accumulation of 12 hours of recreation use by one or more persons.

[1] Decline attributed to energy situation.

SOURCE: Gil Churchill, op. cit.

are designated, use will probably increase even more rapidly.[13] In the East, and especially for the Cranberry, the combination of few alternative wilderness areas and large population concentrations probably will mean even greater growth in use in coming years.

In sum, the Cranberry has the characteristics of a wilderness area and would supply many uses that would benefit society. Because of the scarcity of wilderness in the eastern half of the U.S., especially wilderness as large as the Cranberry, it has great importance as an area for wilderness recreation. Still, the benefits of wilderness designation must be measured against the benefits of nonwilderness use of the area, and the first step is to examine whether the area would be substantially different if it were left for nonwilderness uses. If the differences are substantial, and if the characteristics of the area as wilderness provide greater benefits than the characteristics of the area as nonwilderness, then wilderness preservation better serves the public interest. To examine these questions, the following section provides a discussion, parallel to the previous one, of the characteristics of the Cranberry if not designated wilderness.

The Nonwilderness Option

If the Cranberry is not designated wilderness, it does not follow that recreational use of the area would end. Unless the character of the area is completely altered, some people probably would still come to hike, camp, hunt, and fish in it. This section describes a likely scenario for nonwilderness management and the effects of this management on recreational use.

Character of the Area. One subtle advantage of wilderness designation is that it would determine the course of management for the Cranberry. For instance, decisions over what resources to promote would be greatly reduced. On the other hand, if the Cranberry is not designated a wilderness area, and if the privately-owned mineral rights are left outstanding, then public and private discretion will determine the future condition of the area. The CSX Corporation will have the legal authority to develop its coal resource as it chooses, and the Forest Service can develop new goals for the Cranberry through its general forest planning process. Though it is impossible to predict with assurance the decisions of the two parties for managing their resources, some reasonable assumptions can be made about the future of the area.

First of all, if the CSX Corporation is not compensated for its mineral rights, development of the Cranberry coal deposit probably will take place at some time. The incident in 1975, when a portion of the Cranberry coal deposit was leased to the Powellton Company, is a probable indicator of the future. At that time mining was halted by a temporary ban passed by the West Virginia legislature, and by a lawsuit brought by the West Virginia Highlands

---

[13] USDA-Forest Service, Assessment, op. cit., p. 156.

Conservancy. Though similar tactics could be used in the future to try to halt mining, it seems more likely that CSX Corporation would be able to - and indeed would - develop the coal deposit.

The major coal seams in the Cranberry run through the middle of the area. (See Figure 2.) The U.S. Geological Survey, an agency within the U.S. Department of the Interior, has developed its own estimates of where mine openings might be located, based on the topography of the land and full-scale development of the coal. (See Figure 3.) It is unlikely that all these portals would be in operation at once; rather, more likely, a maximum of perhaps six openings would be in operation at one time.

CSX Corporation has very generous access and development rights for its coal deposit, but, since strip mining is not permitted, deep and drift mining are the major options. These options limit the adverse impacts of coal development. The developed areas around the mine openings themselves occupy little space, perhaps up to ten acres each, with one or two structures for work shops at each opening. Though the mines have the potential to be environmentally disruptive, primarily through possible water and noise pollution and disruption of wildlife habitat, their smallness would seem to limit the potential for adverse effects.

On the other hand, the two roads over which the coal will be transported out of the Cranberry may have major impacts on the character of the area. The roads, also shown on Figure 3, will be improved versions of existing low-grade roads along the North Fork of the Cranberry River and the Middle Fork of the Williams River. Upgrading the roads may lead to increased stream sedimentation, the noise and disruption of occasional coal trucks, and reduction of recreational use of the two rivers. Currently, the two roads are heavily used as trails. The improved roads probably will not be as desirable as they now are to many hikers and campers. Improved roads in what has been essentially a roadless area may be the most obvious symbol that the area is no longer a wilderness.

By themselves, the effects of coal mining are probably not significant in the long run. If the area has virtually recovered from the effects of logging, which may have been more deleterious than mining, then the Cranberry should be adversely affected by the presence of mines for only the time that mining and mine reclamation takes place. However, whether the Cranberry as a whole can revert to being a largely undisturbed area after the reclamation period depends on the management scheme for the surface resource - a decision left by law to the discretion of the U.S. Forest Service.

Any future plans relating to management of the surface resource have to be speculative. Without a specific legislative mandate, the Forest Service will manage the Cranberry under the multiple-use concept. That concept permits anything from intensive timber management to developed recreation to simple custodial management. Because the choice of a management scheme for the Cranberry depends on the output levels set for the entire national forest (which in turn depend on regional and national output goals), and because management decisions for the entire national forest will be revised about

FIGURE 2: LOCATION OF CRANBERRY COAL DEPOSITS

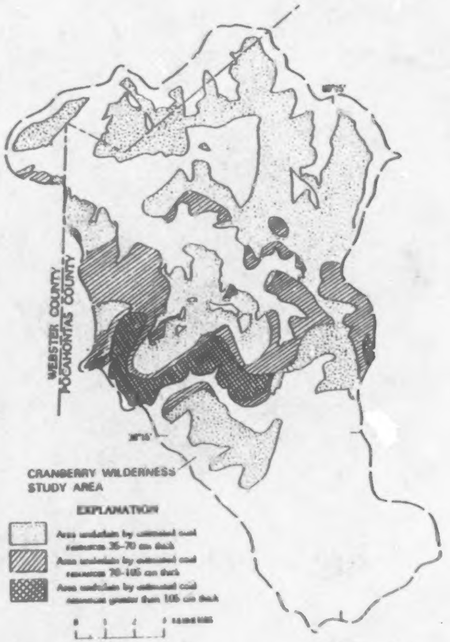

WEBSTER COUNTY
POCAHONTAS COUNTY
38°15'
80°15'
CRANBERRY WILDERNESS STUDY AREA
EXPLANATION
Area underlain by estimated coal resources 35-70 cm thick
Area underlain by estimated coal resources 70-105 cm thick
Area underlain by estimated coal resources greater than 105 cm thick
0 1 2 3 KILOMETERS

FIGURE 5.—Coal resource distribution of all beds in the Cranberry Wilderness Study Area.

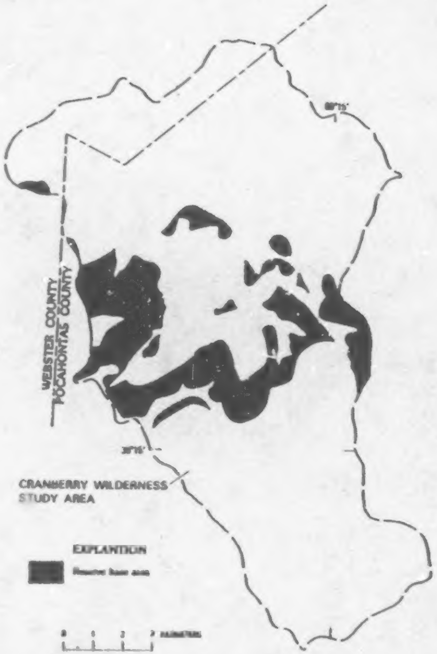
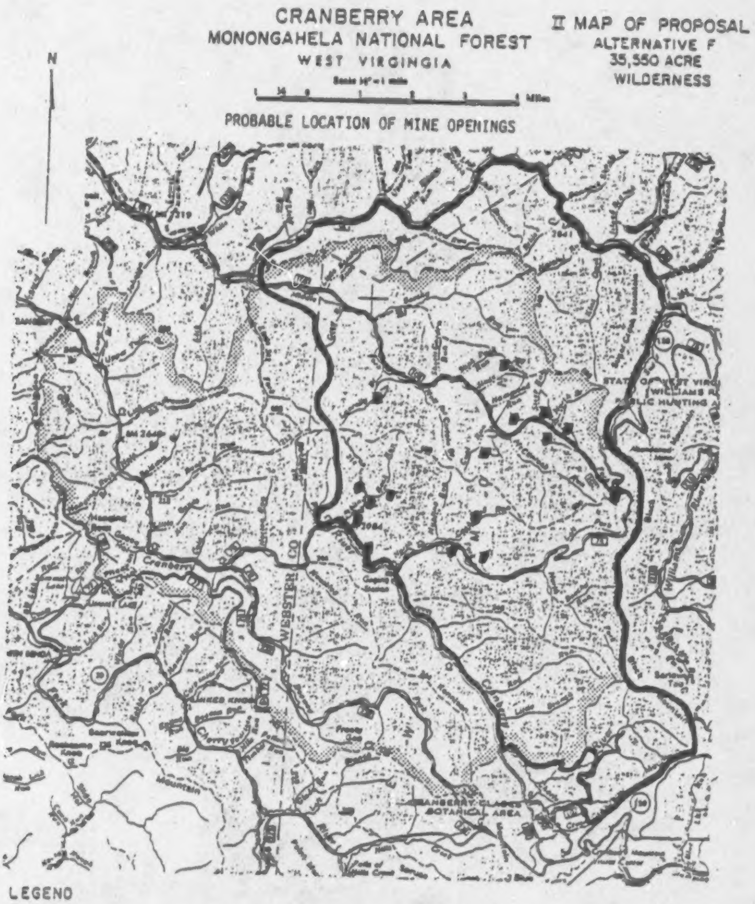


FIGURE 6.—Composite reserve base area of all coal beds.

FROM: Charles R. Meissner Jr., et al., Mineral Resources of the Cranberry Wilderness Study Area, Webster and Pocahontas Counties, West Virginia, Geological Survey Bulletin 1494 (Washington, D.C., U.S. Government Printing Office, 1981), pp. 16-17.

FIGURE 3: PROBABLE LOCATION OF MINE OPENINGS


CRANBERRY AREA
MONONGAHELA NATIONAL FOREST
WEST VIRGINIA
II MAP OF PROPOSAL
ALTERNATIVE F
35,550 ACRE
WILDERNESS
N
PROBABLE LOCATION OF MINE OPENINGS
WEBSTER CO.
Cranberry
CRANBERRY GLADES BOTANICAL AREA
STATE OF WEST VIRGINIA WILLIAMS R. PUBLIC HUNTING

LEGEND

▨ NATIONAL FOREST ADMINISTERED LAND (Surface)

● = possible mine site

☐ OTHER OWNERSHIP (Surface)

▨ CRANBERRY BACK COUNTRY BOUNDARY

— PROPOSED WILDERNESS BOUNDARY FOR ALTERNATIVE F

SOURCE: Material supplied by Eastern Region, Conservation Division, U.S. Geological Survey, Department of the Interior, Washington, D.C., November 10, 1981.

every ten years, it is impossible to be sure of future management goals for the Cranberry. Nevertheless, because most of the Monongahela will be managed for uses other than wilderness, most likely the Cranberry would be assigned backcountry management - that is, low-level resource management, though at a higher level than for wilderness.[14]

Backcountry management, as opposed to wilderness management, would bring a greater level of human control to the Cranberry. Some timber harvesting probably would be permitted, though longer-than-average cutting cycles could reduce adverse effects on other resources. Motorized traffic, except for official uses, still would be prohibited. Some wildlife habitat manipulation - maintaining forage clearings, for example - is likely, with a resultant increase in some kinds of wildlife. These management activities are intended to protect the Cranberry while permitting more resource production than if the area were wilderness.

Backcountry management nevertheless would change the character of the Cranberry. Timber harvesting, by its nature, would bring greater activity, and possibly more roads and road use. Some wildlife populations, such as deer, would increase with habitat manipulation. On the other hand, black bear probably would decrease because of greater human activity. The scientific value of the Cranberry as a baseline against which management activities on other areas could be measured would be reduced because it no longer would be as predominantly controlled by natural forces. Ultimately, though, the greatest difference in character might be a qualitative one: because the Cranberry would be more controlled by human forces than it would be under wilderness management, it would be less unique. If the area will indeed continue to be managed as a backcountry, the desirability of the Cranberry as wilderness depends on the importance of these differences to users.

It must be remembered that backcountry management is only one option for management of the Cranberry if no legislative directive is given. The Forest Service can assign any of a range of goals to the Cranberry, many of which would alter the character of the area more than those cited here. For instance, the Draft Management Plan for the Eastern Region of the National Forest System assigns almost a 500 percent increase in timber harvesting to the Monongahela National Forest by the year 2030.[15] That large an increase might lead to increased pressure for more intensive timber management and more rapid harvesting of the Cranberry. Though this change in status for the

---

[14] Drawn from Alternative B in USDA - Forest Service, A Proposal: Cranberry Wilderness, op. cit.

[15] USDA-Forest Service, Draft Land and Resource Management Plan, Eastern Region (Milwaukee, WI, U.S. Forest Service, 1981), p. 88.

Cranberry is possible, continuation of backcountry status seems more likely, since that is the announced intent of the present administrators.[16]

As with coal mining in the Cranberry, the effects of backcountry management are temporary. The major effect, as with mining, would be the loss of wilderness values for users during the mining-plus-reclamation period, but the loss would not be permanent. The debate over the proposed wilderness designation legislation therefore must consider whether the present generation affected by or using the Cranberry would prefer wilderness or another level of management.

Use of the Area. A 1977 survey of what users liked about the Cranberry Backcountry[17] found the most frequent response to be the area's solitude and natural scenic beauty. About 70 percent of the visitors wanted management of the Cranberry to preserve the area's present level of primitiveness, and 82 percent felt that deep mining would reduce the quality of the Cranberry experience.[18] It thus appears likely that an increase in human manipulation of the area, especially coal mining, would reduce the number of users and the value of their recreational experience.

Backcountry management with coal mining would not eliminate recreational use of the Cranberry, but would likely change the levels and kinds of use. Greater management and timber harvesting, for instance, might lead to larger deer and other wildlife populations through the creation of openings in the forest; such a change might increase hunting opportunities. On the other hand, upgrading the roads along the Middle Fork of the Williams and the North Fork of the Cranberry probably would decrease their use as hiking trails. The roads and mines running through the middle of the area likely would decrease the desirability of camping in the area, too, because it would be more difficult to plan a trip of several days which would not include encounters with signs of human activity. As a result, people would be less likely to come to the Cranberry from longer distances (though local users would probably still visit the area frequently) because it would be less unique than it would be as wilderness. The proportions of recreational uses shown in Table 1 (p. 16) probably will change as a result of the change in management.

---

[16] John B. Crowell Jr., in testimony before the Subcommittee on Public Lands and National Parks, op. cit.

[17] The Cranberry Backcountry is a 53,000-acre area, managed for backcountry use under Forest Service discretion. The proposed Cranberry wilderness, roughly 35,550 acres, lies mostly within the Backcountry but excludes large portions of it. Thus, the two areas overlap significantly but are not the same.

[18] Herbert E. Echelberger and George H. Moeller, "Use and Users of the Cranberry Backcountry in West Virginia: Insights for Eastern Backcountry Management," NE-363 (Upper Darby, PA, USDA-Forest Service, 1977), p. 6.

The kinds of changes hypothesized above probably would lead to less total use of the Cranberry. Hunting in recent years has formed a relatively small proportion (between 5 percent and 10 percent) of total recreational use of the area. If the 1980 estimate of hunting use doubled because of increased wildlife management (probably an exaggerated response). that level of increased use could be offset by either a 29 percent reduction in camping use, or a 14 percent decrease in hiking use, either of which is more likely to occur than a doubling in hunting. Future increases in backcountry uses are expected to be smaller than that for wilderness. While wilderness use is projected to increase 2 percent per year without additions to the Wilderness System, dispersed camping is predicted to increase only about 1.4 percent per year, and hiking, big-game hunting, and small-game hunting at less than 1 percent per year.[19] Thus, the Cranberry probably will receive greater recreational use if it is designated wilderness.

Additionally, the "value" of the recreational experience probably would be reduced if the Cranberry is managed as backcountry. Though the value of a visit to an area is highly subjective, the Forest Service has developed estimates that are useful at least for comparison purposes. In the Eastern region, wilderness is estimated to have a value of $12.00 per recreation visitor-day, compared to $5.50 for dispersed recreational use and $10.50 for big game use.[20] In other words, a person would pay far more for a wilderness experience - for instance, by traveling further to get to it - than for dispersed recreation, and slightly more for wilderness than for big game use. This factor, combined with the likely decreased total use of the area under backcountry management, seems to indicate that the Cranberry is more valuable as a wilderness than as a backcountry.

In sum, the recreational value of the Cranberry if it is designated wilderness, both in terms of the number of users and the value of the experience, appears to outweigh the recreational value of the area under backcountry management. If substantial wilderness areas existed in the eastern U.S., the uniqueness of the area would be lower. Because of the scarcity of such areas, however, the Cranberry probably will receive much attention - and much use - because so few alternatives exist. In contrast, sufficient areas of natural but not pristine sites are scattered in the eastern U.S. to provide substitutes for backcountry recreation in the Cranberry. In terms of recreational values, then, the best use of the Cranberry is for wilderness.

However, recreational values are not the only factors that must be considered in evaluating the merits of the proposal to designate the Cranberry as wilderness. Under the terms of the proposed legislation, the coal deposit underlying the area would become inaccessible if the area is designated wilderness. The legislative proposal for the Cranberry would compensate the CSX Corporation for the inaccessibility of this deposit by providing it with a substitute mineral deposit. If the substitute deposit has comparable value, the CSX Corporation should not be seriously affected. Still, if development of the Cranberry coal deposit would provide substantial benefits to the public that outweigh the recreational values of the area as wilderness, it would be in the public interest to allow the coal to be mined. The following chapter analyzes that question.

---

[19] USDA-Forest Service, Assessment, op. cit., pp. 100, 179.

[20] USDA - Forest Service, A Recommended Renewable Resources Program - 1980 Update (Washington, D.C., U.S. Department of Agriculture, 1980), pp. C-4, C-5.

MARKET FACTORS FOR COAL RESOURCES

The coal deposit in the Cranberry is not ordinary "steam" coal used primarily for heat and electricity generation. Instead, it is premium, or metallurgical-grade, "coking" coal. In general, the term "coking coal" refers to certain bituminous coals that, when heated at high temperatures in the absence of air, soften and then solidify into a porous mass called coke. Coke is one of the basic materials used in blast furnaces for the conversion of iron ore into iron. A major portion of the coke produced in the U.S. goes for the production of iron that is subsequently processed into steel; coking coal is also used for electricity generation and for export.

The use to which specific coking coals will be put depends upon certain characteristics of the coal. "Premium" coking coal can produce a high-quality fuel - metallurgical-grade coke - with a high content of fixed carbon, relatively small amounts of ash and sulfur, and unique physical properties that make it very desirable for use in metallurgical and chemical processing.[21] Additionally, the coal's volatile matter content will affect the use of the coal. Virtually all cokes are made of blends of relatively small amounts of low and medium volatile coal with larger amounts of high volatile coal. High volatile coal, more abundant than low and medium volatile coal, is more likely to be used for electricity generation. Thus, if a deposit of coking coal has particular characteristics, it may be in greater demand than another deposit with less desirable characteristics.

The importance of the Cranberry coal deposit for society depends on the need for comparable coking coal now and into the future, and on the availability of alternative supplies of this kind of coal. If premium coking coal is not abundant, and if demand for it is strong, then the scarcity of the coal may be more important to society than the scarcity of wilderness. If so, perhaps the Cranberry should be mined. But if coal supplies are so abundant that meeting demand for this coal is no problem, then the importance of the area for wilderness may outweigh the value of mining the coal. Under the exchange mechanism proposed in H.R. 5161, the CSX Corporation would be compensated for this deposit and would thus incur no losses. From the public's perspective, if sufficient alternative supplies of coking coal exist, then the only loss incurred by not mining the Cranberry deposit would be the difference between the Cranberry deposit and its most likely alternative. This chapter assesses the need for coking coal and the availability of alternative supplies in order to determine the importance of mining the Cranberry coal deposits.

---

[21] "Premium coking coal," as generally accepted, is used to categorize high, medium, and low volatile coking coals containing no more than 8 percent ash and 1 percent sulfur. Eugene T. Sheridan, *Supply and Demand for United States Coking Coals and Metallurgical Coke* (Washington, D.C., USDI - Bureau of Mines, 1976), pp. 2-3.

Demand for Coking Coal

The primary uses of coking coal are for 1) production of coke in a blast furnace and as a fuel in foundries; 2) consumption by electric utilities; and 3) meeting coal export demand.

Domestic consumption in coke plants and foundries during the 1970s averaged about 70 to 80 million tons per year. Slightly over half of the coal converted to coke in the U.S. is produced by the consumers of that coal (that is, by "captive mines"). For example, most of the large steel companies own and mine their own coal reserves. Of the non-captive coal consumed domestically, slightly less than half is purchased under long-term (more than one-year) contracts, and terms in excess of ten years are not uncommon.

Substantial quantities of coking coal also are used by electric utilities as a boiler fuel. In 1980, about 50 million tons of coking coal were consumed by electric utilities, while 66 million tons were used to produce coke. (Overall, 569 million tons of bituminous coal were used for electricity generation; only 9 percent of the volume was from coking coal.)[22] The heat content of coking coals, especially high volatile coking coals, is compatible with utility boilers, and their low sulfur content makes them important in meeting air pollution emission standards. Nearly all of the coking coal used in the utility sector is high volatile.

Finally, large quantities of coking coal are exported. In 1980, about 66 million tons of coking coal were sold overseas, primarily to Japan, Canada, and Europe.[23] The bulk of exports are sold by long-term contracts, although recently some foreign buyers have begun switching to one-year contracts.

The total of coking coal processed into coke in the U.S., consumed by U.S. electric utilities, and exported provides an estimate of total annual U.S. coking coal production - 150 to 200 million tons, or about one-fourth to one-third of total U.S. coal production.[24] Since the average price of coking coal exceeds that of steam coal, coking coal accounts for about half of the total dollar volume of coal sales in the U.S.[25]

---

[22] Information provided by U.S. Department of Energy, Energy Information Administration, in telephone conversation, April 1982.

[23] Ibid.

[24] Production and consumption are assumed to be roughly equal, since most coking coal is consumed in the year produced, and stock changes (additions or reductions in inventories) are small.

[25] U.S. Department of Justice, Competition in the Coal Industry (Washington, D.C., U.S. Government Printing Office, 1979), p. 34.

Future demand for coking coal depends on trends within the individual markets. For instance, the use of coking coal for domestic steel production is unlikely to increase in coming years, and may even decrease. The current sluggish nature of the U.S. steel industry has depressed coking coal markets and led to considerable excess capacity. Short-term increases in demand are unlikely. If any occurred, they would more likely be met by expanded production at existing mines, rather than by the opening of new mines. In the longer term, technological improvements in cokemaking and greater efficiency in utilization probably will lead to less coking coal being needed to produce a given amount of steel. The National Coal Association estimates that domestic demand for coking coal in 1990 will be only 68 to 80 million tons.[26] Thus, at best, coking coal consumption by the steel industry will stay roughly constant in the next few years.

The outlook for the amount of coking coal to be used for electricity generation is far less certain. Overall, the proportion of energy being produced by all coals is increasing and is expected to continue to increase.[27] Low-sulfur coking coal may become increasingly popular in electrical plants in coming years because it produces less air pollution than higher-sulfur steam coal. However, the price of coking coal is higher than the price of steam coal, which exists in abundant supplies in both the eastern and western U.S. In sum, demand for coking coal for electricity generation appears likely to increase, but its rate of increase is difficult to predict.

Finally, the export market depends on economic conditions abroad and the availability of alternate supplies. Japan imports the most coal from the U.S., with France, the Benelux countries, Italy, and Canada also purchasing large amounts. It seems likely that these countries, especially Japan, will attempt to economize on the use of coking coal in much the same way that the U.S. steel industry is economizing; this process will inhibit increases in demand. Additionally, the U.S. faces competition from such other suppliers of premium coking coals as Australia. The U.S. Department of Energy predicts that exports will increase moderately in coming years, from a level of 50 to 60 million tons in 1985 to 68 to 85 million tons by 1995.[28] Though the levels of demand will depend largely on the strengths of the economies of these importing countries, it seems likely that moderate increases in coal exports from the U.S. will occur in the next few years.

---

[26] Economics Committee, National Coal Association, A Forecast for U.S. Coal in the 1980s (Washington, D.C., National Coal Association, 1981).

[27] Ibid.

[28] U.S. Department of Energy, Leasing Policy Development Office, The 1980 Biennial Update of National and Regional Coal Production Goals for 1985, 1990, and 1995 (Washington, D.C., U.S. Department of Energy, 1981), p. 90. See also U.S. Department of Energy, Interagency Coal Export Task Force, Interim Report of the Interagency Coal Export Task Force - Draft for Public Comment (Washington, D.C., U.S. Department of Energy, 1981).

In sum, future demand for coking coal probably will increase, but not at a very rapid rate. While domestic use of coking coal for steel production likely will show very little increase, use of coking coal for electricity generation and export demand probably will increase moderately.[29] As a result, overall coking coal production is foreseen to increase from its current level of 150 to 200 million tons per year. Whether supplies will be adequate to meet this growing demand is the subject of the following section.

Supplies of Coking Coal

The amount of producible coking coal in the U.S. depends on such factors as the technology available to develop it, the costs of developing it, current and expected future prices, and restrictions on its development. "Reserves" are the best measure of the amount of coal which can be legally and economically extracted at the time that the reserve base is determined. The "demonstrated reserve base" (DRB) of coking coal consists of minable beds at least 28 inches thick and within 1,000 feet of the surface. Deposits of coking coal exist which are not now part of the DRB, though they may in the future become economically minable as technology advances. The DRB concentrates on currently extractable deposits.

According to a recent study by the U.S. Bureau of Mines (an agency within the U.S. Department of the Interior), the national DRB totals 162.7 billion tons of coking coal of all ranks and grades. Within this reserve base, an estimated 19 billion tons are considered "premium" coking coal. Of the premium coking coal, 4.6 billion tons are low and medium volatile coals, with the remaining 14.4 billion tons of high volatility.[30] (See Table 2.) The low and medium volatile coals are very necessary for blending with the high volatile coal to produce metallurgical coke.

---

[29] Merrill Lynch, Pierce, Fenner and Smith, Coal Industry Quarterly (New York, Merrill Lynch, December 1981), pp. 3-16.

[30] William S. Sanner and David C. Benson, Demonstrated Reserve Base of U.S. Coals with Potential for Use in the Manufacture of Metallurgical Coke, Bureau of Mines Information Circular No. 8805 (Washington, D.C., U.S. Department of the Interior, 1979), pp. 1-14.

TABLE 2: COKING COAL DEMONSTRATED RESERVE BASE IN THE UNITED STATES, MILLION TONS

Volatile Matter[1]	Premium	Other[2]	Total
High	14,371.27	133,341.35	147,712.62
Medium	1,755.78	5,975.19	7,730.97
Low	2,838.62	4,387.92	7,226.54
Total	18,965.67	143,704.46	162,670.13

---

[1] High volatile - greater than 31 percent volatile matter; medium volatile - greater than 22 percent, equal to or less than 31 percent; low volatile - greater than 14 percent, equal to or less than 22 percent.

[2] Includes both "marginal" and "latent" coal deposits.

SOURCE: Sanner and Benson, Demonstrated Reserve Base, op. cit., p. 11.

Though currently only a small portion of the DRB is premium coal, changes in technology and prices can bring currently marginal coal into the DRB. For instance, a process called "form coking" is being developed that could permit metallurgical coke to be made without using any premium coking coal. Thus, the existing DRB of premium coal sets a lower limit on the availability of metallurgical-quality coking coal. Changes in technology and prices can increase the DRB by making currently marginal deposits economically feasible, or by encouraging use of substitutes.

In 1975, coke plants received 84.4 million tons of coking coal. Of this amount, 56.4 million tons were high volatile, 10.9 million tons were medium volatile, and 17.1 tons were low volatile coal. If consumption rates for coking production stay at that level for coming years, and if premium coking coal goes only for coke production, then under the conservative assumptions of 50 percent recovery of coal reserves when mining, exclusion of some economically recoverable but isolated coal deposits, and only premium coking coal being used for coking, the DRB of high volatile coal will last 127 years; the DRB of medium volatile coal will last 80 years; and that of low volatile coal will last 83 years. If coal for export or for electricity generation comes from the DRB of premium coking coal, then these lifetimes may be greatly reduced. However, factors such as technological advances are likely in coming years to increase the DRB of premium coal. For instance, if 20 percent of the coking coal deposits now considered marginal enter the premium coking coal category, then the above lifetimes are extended to 174 years for high volatile coal, 103 years for medium, and 95 years for low. If marginal and latent coal reserves can be used in place of premium coking coal for current electricity generation and for all uses in coming years, then there seems to be no imminent shortage of coking coals.[31]

The Cranberry coal deposit is estimated to contain a reserve base of 37.7 million tons of medium and high volatile premium coking coal, of which 18.5 million tons are considered recoverable.[32] This amount is about 0.2 percent of the U.S. DRB of premium coking coal, and about 0.02 percent of the DRB of U.S. coking coal of all ranks and grades. It thus represents a very small proportion of the current reserve base. If recent consumption levels remain constant, and assuming 50 percent coal recovery, the Cranberry deposit represents less than a three month supply of the coal going to coking plants. Especially with the likelihood that currently marginal coking coals will enter the reserve base for premium coals, it appears unlikely that failure to develop the Cranberry coal deposit will have any noticeable effect on coking coal supplies.

---

[31] Sanner and Benson, Demonstrated Reserve Base, op. cit., pp. 1-14.

[32] Charles R. Meissner Jr., et al., Mineral Resources of the Cranberry Wilderness Study Area, Webster and Pocahontas Counties, West Virginia, Geological Survey Bulletin 1494 (Washington, D.C., U.S. Government Printing Office, 1981), p. 54.

It also appears unlikely that development of the Cranberry coal deposit has any locational advantages over development of an alternative deposit. Ample reserves of coking coal exist in the area of the Cranberry to supply the markets the Cranberry coal would likely serve. West Virginia's DRB of premium coking coal contains 9.5 billion tons; Virginia has a DRB of 1.4 billion tons; and eastern Kentucky has 4.4 billion tons in its DRB.[33] The 37.7 million ton DRB in the Cranberry accounts for only 0.4 percent of the West Virginia DRB of premium coking coal. Not developing the Cranberry coal deposit probably will not affect the supplies of coal to any particular market.

In sum, the Cranberry coal deposit appears to be too small to have an impact on either the supply or price of coking coal. Current supplies are ample to meet demand in the near future. For the longer term, as technological advances and market forces increase the DRB of premium coking coal and reduce the need for premium coking coal in its uses, supplies should continue to be sufficient. From the public perspective, there are enough alternatives to mining the Cranberry coal deposit that development of this particular deposit does not seem necessary. As long as CSX Corporation can be compensated for its lost property, the existence of the coal deposit under the Cranberry does not justify denying designation of the Cranberry as wilderness. When this factor is combined with the scarcity of wilderness in the East and the value of the Cranberry for wilderness-type recreation, wilderness designation would provide for the greater net public benefit.

This conclusion is based on a comparison of the coal and recreation values of the Cranberry, and it assumes that an exchange is indeed feasible. Consideration of other resource values of the Cranberry or social and economic impacts of wilderness designation may change this conclusion if these losses outweigh the benefits of wilderness. The following chapter discusses these issues.

---

[33] Sanner and Benson, Demonstrated Reserve Base, op. cit., p. 8.

EFFECTS OF WILDERNESS DESIGNATION ON OTHER FACTORS

The major conflicts over the future of the Cranberry have centered on the uniqueness of the area as wilderness versus the importance of the coal deposit underlying it. However, designation or nondesignation of the Cranberry as wilderness also will affect other resources and uses of the area. Though the debate surrounding the Cranberry probably will not focus strongly on these issues, they will - and should - be considered as factors in the debate. These factors include other natural resource issues and economic and social impacts on the surrounding communities

Natural Resource Issues

Though coal and wilderness are the primary resources being contested in the Cranberry, other resources occasionally are mentioned in the debates as having substantial values which might be altered under wilderness designation. These other resources include timber, fish and wildlife, oil and gas potential, and air and water quality. As with the coal deposit, the relative scarcity of alternatives to these resources needs to be assessed.

Timber Resources. The Monongahela National Forest contains an estimated 734,000 acres of so-called "commercial forest land" - that is, land capable of growing 20 cubic feet of wood per acre per year.[34] The timber in the Monongahela consists primarily of such hardwoods as oak, maple, and yellow poplar, used for furniture and veneer manufacturing. The Forest Service aims for timber harvests on the forest to rise from 30 million board feet in 1982 to 176 million board feet by around 2025.[35] This enormous increase in timber harvesting activity may lead to heavy pressure for timber production from everywhere in the forest - including the Cranberry area.

The Cranberry currently could supply timber at the rate of 3.6 million board feet per year,[36] with potential future timber yields estimated at 5.8 million board feet per year.[37] Thus, current timber availability from the Monongahela could be increased by about 12 percent; in the long run, the Cranberry could supply about 3 percent of the timber to be harvested from the

---

[34] USDA - Forest Service, Eastern Region, Northern Appalachian - New England State Supplement to USDA Forest Service Environmental Statement, Roadless Area Review and Evaluation II (Milwaukee, WI, USFS Eastern Region, 1978), p. 5.

[35] USDA - Forest Service, Draft Eastern Region Plan, op. cit., p. 88.

[36] USDA - Forest Service, A Proposal: Cranberry Wilderness, op. cit., Alternative Comparison Chart.

[37] USDA - Forest Service, Eastern Region, State Supplement to RARE II, op. cit., p. 41.

Monongahela. In the short term, the lack of demand for wood products - due primarily to high interest rates - indicates no need for harvesting the timber in the Cranberry. In the longer run, the Forest Service projects virtually no national shortage of hardwood timber,[38] and the timber supply from the Cranberry is too small (0.03 percent of current hardwood sawtimber demand, and 0.02 percent of projected hardwood demand in 2030) to have a noticeable effect on supplies of hardwoods in coming years. The timber values therefore appear small enough that failure to harvest the wood will not cause any noticeable adverse effects on supply.

Fish and Wildlife. The Cranberry provides habitat for a wide range of mammals and birds. The proposed wilderness is part of a black bear sanctuary that is closed to all bear hunting by the West Virginia Department of Natural Resources to protect breeding grounds. Remoteness and the general lack of disturbance make the area valuable as a breeding ground for both black bear and wild turkey. Fish populations are generally low, due to acidic water conditions, and streams are not currently stocked. (The Cranberry River, which is stocked, is not within the boundaries of the proposed wilderness.)

If the Cranberry is not designated wilderness, some openings may be maintained for wildlife forage, with a resultant increase in certain wildlife populations, such as deer. However, road construction, mining, and generally greater human activity may make the area less desirable as wild turkey and black bear habitat. Since most of the rest of the Monongahela National Forest is being actively managed, the Cranberry could provide unique habitat as an unmanaged area if left as wilderness. From the perspective of relative scarcity, then, wildlife habitat in the Cranberry would be more unique if the area is designated wilderness.

Potential for Oil and Gas. Currently, the Cranberry is being considered for oil and gas drilling, though the potential for discoveries is disputed. Based on exploratory drilling in the area of the proposed wilderness, the U.S. Geological Survey found that there is "a remote chance for gas, but virtually no chance for oil in and near the Cranberry Wilderness Study Area."[39] On the other hand, materials provided for U.S. Senators McClure and Melcher by the U.S. Forest Service note that recent studies "of the area's mineral potential indicate that oil and gas values, possibly equal to the coal values, also exist."[40]

---

[38] USDA - Forest Service, *Assessment*, *op*. *cit*., p. 405.

[39] Charles R. Meissner Jr., *et al*., *Mineral Resources of the Cranberry Wilderness Study Area*, *op*. *cit*., p. 54.

[40] "Rationale for Changes, Eastern United States," attached to "Dear Colleague" letter from U.S. Senators James A. McClure and John Melcher, November 23, 1981.

While geologists dispute the potential of the area for oil and gas development, once again the relative scarcity argument would support wilderness designation. In the eastern United States - that is, east of the Mississippi River - all potential wilderness areas are estimated to contain only 0.1 percent of estimated petroleum in the East (0.009 percent of estimated petroleum in the U.S. as a whole), and 0.2 percent of estimated eastern natural gas (0.016 percent of estimated gas in the U.S. as a whole).[41] It thus appears that any oil and gas supplies in the Cranberry must be a minuscule proportion of oil and gas supplies in the U.S., and their development would have virtually no impact on U.S. supplies. Designation of the Cranberry as wilderness, on the other hand, would ensure the supply of an increasingly rare resource.

Air and Water Quality. Currently, both air and water quality in the Cranberry are excellent, though the water is too acidic in many places to support native fish populations. Wilderness designation would maintain those qualities. Such development activities as mining probably would have a small impact on air quality. Though these activities might contribute to increased soil erosion and water quality degradation, application of normal protection measures could reduce these adverse effects. Neither option for the Cranberry is likely to have much effect on air and water quality.

As with the coal deposit, it would seem that these nonwilderness resources - timber, oil, gas, and nonwilderness wildlife - are not as scarce as is eastern wilderness. Wilderness designation for the Cranberry will not adversely affect supplies of any of these resources.

Social and Economic Factors

Resource conflicts are frequently difficult to boil down to simple issues of supply and demand. Because people live near the affected area, the effects on the local economy must be assessed. For the area surrounding the Cranberry, the key community impacts will be on jobs and the local tax base.

Area Employment. If the Cranberry is not designated wilderness, then mining activities could lead to new jobs. The Forest Service estimates that one million tons of coal produce 500 jobs.[42] Depending on how quickly the Cranberry coal deposit is to be exhausted, perhaps as many as 370 jobs could be created. Table 3 gives an estimate of the number of jobs that would be created for different rates of mining. These jobs are more likely to go to residents of Webster County, rather than to residents of Pocahontas County,

---

[41] Economic Associates, Inc., "Potentially Producible Petroleum and Natural Gas in the United States and the Western Overthrust Belt" (Washington, D.C., The Wilderness Society, 1982), p. 3.

[42] USDA - Forest Service, A Proposal: Cranberry Wilderness, op.cit., p. A33.

TABLE 3: SOME COMMUNITY IMPACTS OF DIFFERENT LEVELS OF MINING PRODUCTION IN THE CRANBERRY

Tons Produced Per Year	Lifetime of Mining Operation[1]	Employment[2]	Portion of State Severance Tax Returned to Pocahontas County[3]
	(Years)	(Jobs per Year)	(Dollars per Year)
300,000	62	150	$138
740,000	25	370	$645

---

[1] Based on continuous and complete extraction of 18.5 million tons of recoverable coal, assuming 50 percent recovery.

[2] Based on estimate of 500 jobs per million tons of coal.

[3] See Appendix I for calculation.

because of easier access to the mine sites.[43] In view of the above-average unemployment rate in Webster and neighboring Nicholas counties,[44] not designating the Cranberry as wilderness could provide much-needed jobs.

A few qualifying statements are in order. First, not all of these jobs may be new; some may simply substitute for already-existing jobs. If coal mining activity in the Cranberry substitutes for other coal production, then the jobs are only shifting from one mine operation to another. The employment benefits of mining must be measured by net, rather than gross, gains in jobs. Second, if the new jobs attract new people to the area, then the increased costs to local governments of public services - schools, hospitals, and water systems - will put added pressures on local government budgets. Third, these jobs may not be stable. Depending on how development takes place, the number of jobs may fluctuate with the demand for coal, the condition of the U.S. economy, and still other factors. If the CSX Corporation enters into a long-term contract for the coal, more stable employment probably will result. Despite these qualifications, however, development activities in the Cranberry would most likely bring some new jobs.

Table 3 points up another factor. The larger the mining operation, the more jobs - but the shorter the time those jobs will exist. Communities in West Virginia have long been subject to "boom-bust" development. Jobs boom with resource development and go bust with resource depletion. From that perspective, gradual extraction of the Cranberry coal deposit might lead to greater stability, though fewer people would be employed. On the other hand, rapid development would lead to greater present income for people in the area, and quicker returns to the CSX Corporation. Rapid development might also speed the day when the Cranberry could be allowed once again to regenerate itself and return to its present undeveloped status. If the Cranberry is not designated wilderness, this tradeoff should receive careful attention from all interested parties.

It is unlikely that wilderness designation would create as many jobs as would mining, but recreation-based economic development does have a few advantages. Though jobs in service-oriented activities are generally lower-paying than coal mining jobs, they may be more stable in the long run, although many are highly seasonal. Moreover, because such jobs generally can be filled by unskilled workers, they could reduce the very high rate of umemployment in that group.[45] The Snowshoe ski resort being developed in Pocahontas County already is providing jobs in the recreation sector; designation of the Cranberry as wilderness could complement the resort development by ensuring recreational opportunities of primarily low-density, warm-weather character. West Virginia's travel industry stimulates enormous economic activity in the state, generating more than $1 billion in sales and $217 million in salaries in 1979.[46] Designation of the Cranberry as wilderness could create even more interest in the area and thus could contribute to the economic development that tourism brings to West Virginia.

---

[43] Walt Helmick, Pocahontas County Commissioner, in testimony before the Subcommittee on Public Lands and National Parks of the Committee on Interior and Insular Affairs, U.S. House of Representatives, Washington, D.C., January 28, 1982.

[44] Governor's Office on Economic and Community Development, "Energy Impact Area 1 - Chapter V" (Charleston, WV, Governor's Office on Economic and Community Development, n.d.).

Wilderness designation of the Cranberry will not cause the loss of any current jobs: no present jobs are dependent on development. The total effect of designation on potential jobs is uncertain, but overall fewer new jobs are likely to be created than if the Cranberry were left available for development. Jobs created with wilderness designation probably would be less subject to the fluctuations of the coal industry and would last longer into the future, though they might fluctuate more seasonally. Designating the Cranberry as wilderness is unlikely to contribute greatly to reducing the area's unemployment problems.

Effects on Local Tax Revenues. If the Cranberry is designated wilderness, with the underlying coal deposit brought into federal ownership, then Pocahontas County (and, to a minor extent, Webster County) will lose some tax revenue: first, from property taxes paid by the CSX Corporation for its subsurface rights; and second, from that portion of the West Virginia severance tax on coal that goes to counties and municipal governments. The Pocahontas County Commission opposes designation of the Cranberry as wilderness because the county would lose $17,000 a year in property tax revenues.[47] The commission believes that this revenue is important for the county's financial balance.

In the 1981 fiscal year (July 1, 1980, to June 30, 1981), total revenue in Pocahontas County was $1.9 million. Thus, the property taxes paid by the CSX Corporation represent less than 1 percent of county income. Indeed, it is only about 5 percent of income from property taxes alone. The annual interest earned by the county, $50,460, is three times the size of the property taxes paid by the CSX Corporation.[48] Thus, the loss of this revenue would have a negligible effect on the county budget.

---

[45] West Virginia University, Creating Economic Growth and Jobs Through Travel and Tourism (Washington, D.C., U.S. Government Printing Office, 1981), pp. 9-11.

[46] Patricia E. Goeke, "The Economic Impact of Travel in West Virginia" (Morgantown, WV, West Virginia University for the Governor's Office of Community and Economic Development, 1981), p. 1. (Mimeograph).

[47] Walt Helmick, Pocahontas County Commissioner, op. cit. The County would probably relax its opposition if the federal government would reimburse the county for this loss.

Distribution of the severance tax to counties and local governments from coal development is based on two factors: the amount of coal produced in the county relative to coal production in West Virginia as a whole, and the population of the county relative to the total population of West Virginia. Because (aside from the potential of the Cranberry) Pocahontas County produces no coal, and because its population (about 9,900 people) is a small fraction of the total population of the state, its additional receipts from the severance tax due to mining the Cranberry deposit would be minimal.[49] Table 3 (p. 36) gives estimates of the receipts to Pocahontas County from this tax at various production levels. Its contribution to the county budget is far less than that of the property tax. In conclusion, the effects on the budget of Pocahontas County from designation of the Cranberry as wilderness would be negligible.

Wilderness designation for the Cranberry would not bring economic growth to the surrounding areas, but neither would it cause any substantial economic losses. Wilderness designation thus would have no major effects on the surrounding areas. Area residents must decide if this maintenance of their current status is desirable.

In sum, designation of the Cranberry as wilderness will not adversely affect supplies of its commercially-used resources, including coal, timber, oil, and gas, in any noticeable way. While some wildlife populations will benefit from wilderness designation, others may not, though none of the adversely affected species is rare elsewhere in the Monongahela National Forest. Wilderness designation probably will prevent the creation of some new jobs that would otherwise help to alleviate high unemployment rates in the area, though it is doubtful any current jobs would be lost. The effects of wilderness designation on the tax base of Pocahontas County are minimal. With the possible exception of employment impacts, none of the other effects of wilderness designation appear measurably negative. The conclusions reached by comparing only coal and wilderness values appear still valid when other factors are considered.

The final question is whether an exchange of mineral rights to permit wilderness designation for the Cranberry is feasible. That question is considered in the following chapter.

---

[48] State Tax Department of West Virginia, Local Government Relations Division, "Annual County Financial Statement for Fiscal Year Ending June 30, 1981 - Pocahontas County" (Charleston, WV, State Tax Department, 1981).

[49] State Tax Department of West Virginia, West Virginia Tax Laws (Charleston, WV, State Tax Department, 1979), pp. 56-57.

FEASIBILITY OF AN EXCHANGE

In order for the Cranberry to become a wilderness, the coal deposit underneath it must be federally acquired. H.R. 5161, the currently proposed legislation, requires an exchange of the Cranberry coal deposit for a federally-owned mineral deposit elsewhere. The CSX Corporation would prefer an exchange for a coal deposit in the eastern U.S. to keep the coal deposit close to its rail lines. If the law is to be feasible, federally-owned minerals of acceptable value must be available in the East for the exchange. If not, Congress must seek alternative means to acquire the coal deposit.

In the eastern U.S., the federal government owns about 1.7 million acres of all bituminous coals (of which coking coals are a subset). The lands where an exchange would be most feasible are those where the federal government is responsible for both surface and subsurface rights - that is, coal underlying national forests.[50] Otherwise, negotiations between the federal government and the CSX Corporation would become even more complex by the addition of a third party. Federal coal deposits under national forests cover 625,000 acres, with the largest areas in Alabama and Kentucky. The Alabama deposits are known to contain coking coal - one deposit alone is estimated to contain 26 million tons averaging 6 feet thick.[51] Though the full extent of coal deposits - especially coking coal deposits - in the eastern U.S. has not been determined in detail, there appears to be a good chance that enough federal coking coal exists for an exchange to be feasible. If the CSX Corporation is willing to accept steam coal as well as coking coal, it is fairly certain that an exchange can be arranged.

An exchange may provide the most practical way at this time for the federal government to acquire the Cranberry's subsurface rights. The major alternative - outright purchase of the coal deposit - would require federal expenditures of up to $28 million;[52] federal funds of that amount are increasingly scarce. The costs of an exchange, which would include the costs of fully determining the extent of both the Cranberry deposit and the alternate deposit, as well as the costs of negotiation and arbitration, would be far less - probably on the order of a few million dollars. Because an exchange can be far more complex and time consuming than outright purchase, these costs could increase. To reduce this problem, the proposed legislation imposes strict time limits on the exchange process. Because the loss to society of not developing the Cranberry coal deposit is minimal, the total costs of wilderness designation for the Cranberry consist primarily of the costs of the exchange. If all parties involved seek to shorten and simplify the process, the costs of the proposed exchange process should not outweigh the benefits of wilderness designation.

---

[50] Denise P. Meridith, Chief, Division of Resources, Eastern States Office, Bureau of Land Management; personal communication, December 28, 1981. Other categories include federal coal under Corps of Engineers projects; federal coal under military reserves; federal coal under state surface; and federal coal under private surface.

[51] Conservation Division, U.S. Geological Survey; telephone conservation, January, 1982. See also 1981 Keystone Coal Industry Manual (New York, McGraw-Hill Publications, 1981), p. 488.

[52] John B. Crowell Jr., in testimony before the Subcommittee on Public Lands and National Parks, op. cit.

In conclusion, the proposed Cranberry wilderness, if left as wilderness, can provide unique values of solitude and the opportunity for primitive recreation to a heavily populated area. In contrast, the coal resources that would be foregone by wilderness designation are not scarce, nor are other extractable resources that may exist in the area. An exchange that would bring the coal into federal ownership appears possible. Thus, designation of the Cranberry as wilderness would not lead to any noticeable shortages in supplies of coking coal, timber, oil, gas, or managed wildlife habitat. On the other hand, not designating the Cranberry as wilderness would lead to the loss of a scarce resource, a 35,550-acre wilderness in the eastern U.S.

It is very doubtful that people would lose current jobs because of wilderness designation; however, some jobs that might otherwise be created in the area would instead be created where alternative coking coal deposits would be mined. This loss of increased local job opportunities may be partly offset by new jobs created through projected increases in coal development in surrounding counties.[53] From the national perspective, these job opportunities are not lost; they will instead be shifted to another region. Still, from the local perspective, not developing the Cranberry coal deposit would remove an opportunity to reduce unemployment in the area. The residents to some extent thus face a tradeoff between increased jobs on the one hand, and the additional protection wilderness designation would provide to an area heavily used by many of them. From the regional and national perspectives, wilderness appears to be the more desirable option, but local opinion may differ.

Still, wilderness designation for the Cranberry does not mean the permanent loss of the area's mineral and timber resources. If coming years bring heavy demand for coking coal, and if other supplies are not adequate, the Cranberry coal deposit could be opened to development by Congress. The same argument applies to other resources in the Cranberry. The Cranberry as wilderness would act as a reserve for these resources. The effect of wilderness designation will be to make development of the Cranberry's resources a deliberate Congressional decision, rather than a matter of corporate or government agency discretion.

---

[53] Governor's Office on Economic and Community Development, "Energy Impact Area 1 - Chapter V," op. cit.

Enactment of H.R. 5161, with its provisions to designate the Cranberry as wilderness and to acquire the underlying coal deposits via an exchange of other federally-owned minerals, would ensure a 35,550-acre wilderness for the densely-populated eastern United States. Because of the scarcity of eastern wilderness, and the growing demand for its values, designation of the Cranberry as a wilderness would provide greater benefits than would development of the resources within the area. For these reasons, the proposed legislation establishing the Cranberry wilderness would serve the public interest if enacted.

APPENDIX I: Calculation of the "Business and Occupation Taxes to Counties and Municipalities" for Pocahontas County if the Cranberry Coal Deposit is Developed.

In West Virginia, a tax of 35¢ per $100 of coal production is returned to the counties and municipalities. One-fourth of this tax is returned to counties based on the proportion of the West Virginia population in a particular county; the remaining three-fourths is returned to the counties and municipalities based on the proportion of West Virginia coal production that came from each county. The additional income to Pocahontas County due to this tax can be calculated from the following formula.

$$(0.75)(C_c/C_{wv})(0.0035)(P)(C_{cr}) + (0.25)(PO_c/PO_{wv})(0.0035)(P)(C_{cr})$$

= total severance tax to County and Municipalities, where

C_c = Total coal production in county (for Pocahontas County, $C_c = C_{cr}$)

C_{wv} = Total coal production in West Virginia (112,000,000 tons).

C_{cr} = Total coal production in Cranberry

P = Price per ton ($40)

0.0035 = The portion of gross receipts taxed and returned to local governments

PO_c = Population of county (for Pocahontas County, 9,919)

PO_{wv} = Population of West Virginia (1,949,644)

For the results presented in Table 3, West Virginia's total coal production is estimated at 112 million tons; the mine-mouth value of the Cranberry coal is assumed to be $40 per ton; it is assumed that no other coal production is occurring in Pocahontas County; the population of West Virginia is 1,949,644; and the population of Pocahontas County is 9,919.

SOURCE: State Tax Department of West Virginia, West Virginia Tax Laws (Charleston, WV, State Tax Department, 1979), pp. 56-57.